

PART 14 ANTI-DOPING RULES OF THE UCI

(new rules entered into force on 13 August 2004)

INTRODUCTION

Pursuant to amendments adopted by the 115th session of the International Olympic Committee in July 2003, the Olympic Charter stipulates that in order to be recognized by the IOC, an International Federation must adopt and implement the World Anti-Doping Code (Rule 29).

To be eligible for a participation in the Olympic Games, a competitor, coach, trainer or official must respect and comply in all aspects with the World Anti-Doping Code (Rule 45).

As a consequence, at its meeting of 22-23 July 2004, the UCI Management Committee decided to accept the World Anti-Doping Code and to incorporate the Code in UCI's Regulations, as is done in these Anti-Doping Rules.

Terms in italiques are defined in appendix 1.

ANTI-DOPING RULES OF THE UCI

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Chapter SCOPE

1. These Anti-Doping Rules shall apply to all *License-Holders*.

In-Competition Testing

2. *Riders* participating in *International Events* shall be subject to *In-Competition Testing* under these Anti-Doping Rules.

Riders participating in *National Events* shall be subject to *In-Competition Testing* initiated and directed by the *National Anti-Doping Organization* of the country or any other organization or person so authorized by that *National Anti-Doping Organization*. *Doping Control* shall be governed by the anti-doping rules of the *National Anti-Doping Organization*.

Comment: As results from the above article, these Anti-Doping Rules do not apply at *National Events*.

3. *In-Competition Testing* at *International Events* may be initiated and directed by the UCI or by the National Federation of the country or any other organization or person so authorized by the UCI. *Doping Control* shall be governed by these Anti-Doping Rules exclusively.
4. If the UCI decides not to conduct any *Testing* at an *International Event*, the *National Anti-Doping Organization* for the country where the *Event* takes place, may initiate and conduct such *Testing* in coordination with and with the approval of the UCI or, if the UCI withholds its approval, with the approval of *WADA*. In such cases, *Doping Control* shall be governed by the anti-doping rules of that *National Anti-Doping Organization*.
5. *Riders* shall be subject to *In-Competition Testing* at the Olympic Games, the Paralympic Games and events of *Major Event Organizations*.

Doping Control shall be governed by the rules of the International Olympic Committee, the International Paralympic Committee and the *Major Event Organizations* respectively. However, results management and the conduct of hearings shall be referred to the UCI as far as sanctions beyond *Disqualifications* from the event or the results of the event.

Out-of-Competition Testing

6. *Riders* shall be subject to *Out-of-Competition Testing*.
7. *Out-of-Competition Testing* may be initiated and conducted by the UCI or by the National Federation of the country or any other organization or person so authorized by the UCI.

Doping Control shall be governed by these Anti-Doping Rules exclusively.

8. *Riders* shall also be subject to *Out-of-Competition Testing* initiated and conducted by any other *Anti-Doping Organization* that is so authorized under the *Code*:
1. *WADA*;
 2. The International Olympic Committee or the International Paralympic Committee in connection with the Olympic Games or Paralympic Games;
 3. The *National Anti-Doping Organization* of the *Rider*;
 4. The *National Anti-Doping Organization* of any country where the *Rider* is present.

Doping Control shall be governed by the anti-doping rules of the *Anti-Doping Organization* concerned.

However, results management and the conduct of hearings from a test by the International Olympic Committee or the International Paralympic Committee shall be referred to the UCI as far as sanctions beyond *Disqualification* from the event or the results of the event.

Comment:

- 1) *As is expressed in the above article, any Rider may be tested Out-of-Competition by any of the above mentioned organizations, according to the rules of the organization conducting the test.*
- 2) *National Federations may not initiate and conduct Out-of-Competition testing, including on their national level Riders, unless so authorized by the UCI or another Anti-Doping Organization.*

Anti-doping violations where no *Sample* collection is involved

9. The UCI has jurisdiction for and these Anti-Doping Rules shall apply to any anti-doping violation committed by a *License-Holder* where no *Sample* collection is involved and that is discovered:
- (i) by the UCI, by one of its constituents or member Federations, by one of their officials, officers, staff members, members, *License-Holders*, or any other body or individual that is subject to the regulations of the UCI or one of its member Federations; or
 - (ii) by a body or individual that is not an *Anti-Doping Organization*.
10. If an anti-doping violation where no *Sample* collection is involved is discovered by another *Anti-Doping Organization*, the anti-doping rules of that *Anti-Doping Organization* shall apply.

However, if the violation is discovered by the International Olympic Committee or the International Paralympic Committee, results management and the conduct of hearings shall be referred to the UCI as far as sanctions beyond *Disqualification* from the event or the results of the event.

Results management concerning foreign or non-resident Riders

- 1 1. Results management and the conduct of hearings for an anti-doping rule violation arising from a test by, or discovered by, a *National Anti-Doping Organization* involving a *License-Holder* that is not a citizen or resident of that country shall be administered by and under the rules of that *National Anti-Doping Organization*.

Unauthorized Testing

- 1 2. If a *Rider* refuses a test by an *Anti-Doping Organization* that has no authority to test under these Anti-Doping Rules or under the *Code*, such refusal shall not constitute an anti-doping violation under these Anti-Doping Rules.
- 1 3. If a *Rider* has been tested by an *Anti-Doping Organization* that has no authority to test under these Anti-Doping Rules or under the *Code* and the test results in an *Adverse Analytical Finding*, the UCI shall have jurisdiction and these Anti-Doping Rules shall apply.

General comment:

- 1) *Under the Code, National Federations have no jurisdiction in Doping Control.*

However, Anti-Doping Organizations having jurisdiction under the Code, may delegate jurisdiction to National Federations.

The involvement of National Federations in doping control at the international level is laid down in these Anti-Doping Rules.

National Federations and their respective National Anti-Doping Organization may agree on the Federation's involvement in Doping Control at the national level.

- 2) *In addition to the obligations to submit to Testing pursuant to these Anti-Doping Rules and the Code, Riders may also be obliged to submit to Testing and be sanctioned for anti-doping violations pursuant to local anti-doping law.*



Chapter 11 DOPING

Definition of doping

- 1.4. Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in article 15.

Anti-doping rule violations

- 1.5. The following constitute anti-doping rule violations:
1. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Rider's* bodily *Specimen*.
 - 1.1. It is each *Rider's* personal duty to ensure that no *Prohibited Substance* enters his body. *Riders* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their bodily *Specimens*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Rider's* part be demonstrated in order to establish an anti-doping violation under article 15.1.

Warning:

- 1) *Riders must refrain from using any substance, foodstuff, food supplement or drink of which they do not know the composition. It must be emphasized that the composition indicated on a product is not always complete. The product may contain Prohibited Substances not listed in the composition.*
 - 2) *Medical treatment is no excuse for using Prohibited Substances or Prohibited Methods, except where the rules governing Therapeutic Use Exemptions are complied with.*
- 2.1. Excepting those substances for which a threshold concentration is specifically identified in the *Prohibited List*, the detected presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Rider's* *Sample* shall constitute an anti-doping rule violation.
 - 2.2. As an exception to the general rule of article 15.1, the *Prohibited List* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.
2. *Use or Attempted Use of a Prohibited Substance or a Prohibited Method.*
 - 2.1 The success or failure of the *Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted to be Used* for an anti-doping rule violation to be committed.

3. Evading *Sample* collection or, after notification as authorized under these Anti-Doping Rules, refusing, or failing without compelling justification, to submit to *Sample* collection or, regarding the *Riders* referred to in article 122, to check in for *Sample* collection.
4. Violation of the requirements regarding *Rider* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information and missed tests as set forth in article 86.
5. *Tampering*, or *Attempting* to tamper, with any part of *Doping Control*.
6. *Possession of Prohibited Substances and Methods*.
 - 6.1 *Possession* by a *Rider* at any time or place of a *Prohibited Substance* or a *Prohibited Method* referred to in article 15.6.3 below, unless the *Rider* establishes that the *Possession* is pursuant to a Therapeutic Use Exemption granted in accordance with chapter IV or other acceptable justification.
 - 6.2 *Possession* of a *Prohibited Substance* or a *Prohibited Method* referred to in article 15.6.3 below, by *Rider's Support Personnel* in connection with a *Rider*, *Event* or *training*, unless the *Rider's Support Personnel* establishes that the *Possession* is pursuant to a therapeutic use exemption granted to a *Rider* in accordance with chapter IV or other acceptable justification.
 - 6.3 In relation to *Possession*, the following categories of substances and methods of the *Prohibited List* are prohibited:

Categories of *Prohibited Substances*:

 - S1. Anabolic agents
 - S2. Hormones and related substances
 - S3. Beta-2 agonists
 - S4. Agents with anti-oestrogenic activity
 - S5. Diuretics and other masking agents

Categories of *Prohibited Methods*:

 - M1. Enhancement of oxygen transfer
 - M2. Chemical and physical manipulation
 - M3. Gene doping
7. *Trafficking* in any *Prohibited Substance* or *Prohibited Method*.
8. Administration or *Attempted* administration of a *Prohibited Substance* or *Prohibited Method* to any *Rider*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* violation.

Proof of doping

Burdens and standards of proof

16. The UCI and its National Federations shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the UCI or its National Federation has established an anti-doping rule violation to the comfortable satisfaction of the hearing body bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Anti-Doping Rules place the burden of proof upon the *Rider* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

Methods of establishing facts and presumptions

17. Facts related to anti-doping rule violations may be established by any reliable means, including admissions.
18. *WADA*-accredited laboratories or as otherwise approved by *WADA* are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for laboratory analysis. The *Rider* may rebut this presumption by establishing that a departure from the *International Standard* occurred.

If the *Rider* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred, then the UCI or the National Federation shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

19. Departures from these Anti-Doping Rules, the *Procedural Guidelines* set by the Anti-Doping Commission or the *International Standard for Testing* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such findings or results. If the *Rider* establishes that departures from these Anti-Doping Rules, the *Procedural Guidelines* or the *International Standard* occurred during *Testing* then the UCI or its National Federation shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.
20. Any *Anti-Doping Inspector*, *Medical Inspector*, commissaire or official shall draw up a detailed report of any anti-doping rule violation and of any incident, anomaly or irregularity concerning *Testing* which he may observe or which may be reported to him. He shall note the identity of any witnesses. Witness statements may be included in the report and countersigned by the witnesses. This report and all the supporting documentation must be sent without delay to the UCI Anti-Doping Commission.

Chapter THE *PROHIBITED LIST*

21. These Anti-Doping Rules incorporate the *Prohibited List* which is published and revised by WADA as described in article 4.1 of the *Code*. The UCI will publish the current *Prohibited List* also in UCI's Official News Bulletin.

Comment: 1) *the Prohibited List currently in force may also be found on UCI's website at www.uci.ch.*

2) *Most sections of the Prohibited List refer to categories of Prohibited Substances or Prohibited Methods, while only a limited number of these Substances or Methods are listed under that category; yet other Substances or Methods than those recited are prohibited as is indicated for the respective categories.*

3) *The Prohibited List relates to a sports regulation. The Use or Possession of, and Traffic in, a number of substances on the List is also prohibited or regulated in the national laws of many countries. Criminal sanctions may apply. A substance or method that is not prohibited under the List may be prohibited or regulated under national law.*

22. Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules 3 (three) months after publication of the *Prohibited List* by WADA on WADA's website at www.wada-ama.org, without requiring any further action by the UCI.

23. WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that are or will be included on the *Prohibited List* shall be final and not subject to challenge by a *License-Holder*.

IV

Chapter THERAPEUTIC USE EXEMPTION (TUE)

24. *Riders* with a documented medical condition requiring the *Use of a Prohibited Substance* or a *Prohibited Method* must, prior to their participation in any *International Event*, obtain a Therapeutic Use Exemption (TUE) from the UCI, regardless of whether the *Rider* previously has received a TUE from his *National Anti-Doping Organization*.

However, *Riders* of the juniors and masters categories shall obtain a TUE from their *National Anti-Doping Organization* or such authority as appointed by their *National Anti-Doping Organization*.

25. *Riders* with a documented medical condition requiring the *Use of a Prohibited Substance* or a *Prohibited Method* who are not planning to participate in an *International Event* must, prior to their participation in any *National Event*, obtain a Therapeutic Use Exemption from their *National Anti-Doping Organization* or such authority as appointed by their *National Anti-Doping Organization*. The procedure for granting such TUE is governed by the rules of that *National Anti-Doping Organization*.
26. The following articles of this chapter IV govern TUE's requested from the UCI.
27. A Therapeutic Use Exemption is granted according to a standard procedure (articles 38 - 45). For the *Prohibited Substances* or *Prohibited Methods* referred to in article 47, an abbreviated procedure is also available (articles 46 - 50).
28. Decisions regarding the grant, withdrawal and denial of TUE's are taken in the first instance by the Therapeutic Use Exemption Committee of the UCI.

Therapeutic Use Exemption Committee (TUEC)

29. The UCI shall appoint a committee of at least 3 (three) physicians to consider requests for TUE's: the Therapeutic Use Exemption Committee (TUEC).
30. The members of the TUEC, or at least 3 (three) of them, shall be physicians with experience in the care and treatment of athletes and a sound knowledge of clinical, sports and exercise medicine.
31. A majority of the members of the TUEC should not have any official responsibility in the UCI or a National Federation. All members of the TUEC will sign a conflict of interest agreement.
32. The TUEC may seek whatever medical or scientific expertise it deems appropriate in reviewing the circumstances of any application for a TUE.
33. In applications involving *Riders* with disabilities, advice shall be sought from an expert possessing specific experience with the care and treatment of athletes with disabilities, if no member of the TUEC possesses such experience.

34. Upon the UCI's receipt of a TUE application, the Chair of the TUEC shall appoint one or more members of the TUEC (which may include the Chair) to consider such application and render a decision promptly.

Criteria for granting a Therapeutic Use Exemption

35. A Therapeutic Use Exemption will be granted only in strict accordance with the following criteria:
1. The *Rider* should submit an application for a TUE on a form provided by the UCI no less than 21 (twenty-one) days before participating in an *Event*.
 2. The *Rider* would experience a significant impairment to health if the *Prohibited Substance* or *Prohibited Method* were to be withheld in the course of treating an acute or chronic medical condition.
 3. The therapeutic use of the *Prohibited Substance* or *Prohibited Method* would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The *Use* of any *Prohibited Substance* or *Prohibited Method* to increase "low-normal" levels of any endogenous hormone is not considered an acceptable therapeutic intervention.
 4. There is no reasonable therapeutic alternative to the *Use* of the otherwise *Prohibited Substance* or *Prohibited Method*.
 5. The necessity for the use of the otherwise *Prohibited Substance* or *Prohibited Method* cannot be a consequence, wholly or in part, of prior non-therapeutic *Use* of any *Prohibited Substance* or *Prohibited Method*.
 6. An application for a TUE will not be considered for retroactive approval except in cases where:
 - a. Emergency treatment or treatment of an acute medical condition was necessary, or
 - b. Due to exceptional circumstances, there was insufficient time or opportunity for a *Rider* to submit an application 21 (twenty-one) days prior to his participation in any *Event*, or the TUEC to consider the application prior to the *Rider's* participation in any *Event*.
36. A TUE shall be denied on the ground of the impossibility or difficulty to control the dose, frequency, route of administration or any other aspect of the *Use* of a *Prohibited Substance* or *Prohibited Method*, that may produce enhancement of performance other than that allowed under article 35.3.
37. The TUEC may submit the granting of a TUE to any conditions that it may specify.

Standard Therapeutic Use Exemption procedure

38. A TUE will only be considered following the receipt of:
- (i) a legibly completed application form that complies with these Anti-Doping Rules and that must include all relevant information and documents, and
 - (ii) an application fee, the amount of which shall be set annually by the Management Committee.

Warning: Any file that is not complete or not legible will not be considered as valid and will be returned to the sender.

39. The TUE application form(s), as set out in the *International Standard for Therapeutic Use Exemptions*, can be modified by the UCI Anti-Doping Commission to include additional requests for information, but no sections or items shall be removed.
40. The TUE application form(s) shall be completed legibly, in English or French. Any information attached to the TUE application form shall be in English or French. If such information has been originally established in another language, the *Rider* shall attach the original document and a translation in English or French.
41. A *Rider* may not apply to more than one *Anti-Doping Organization* for a TUE. The application must list any previous and/or current requests for permission to use an otherwise *Prohibited Substance* or *Prohibited Method*, the body to whom that request was made, and the decision of that body.
42. The application must include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application.

Any additional relevant investigations, examinations or imaging studies requested by the TUEC will be undertaken at the expense of the *Rider*.

43. The application must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise *Prohibited Substance* or *Prohibited Method* in the treatment of the *Rider* and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.

The dose, frequency, route and duration of administration of the otherwise *Prohibited Substance* or *Prohibited Method* in question must be specified.

44. The decision of the TUEC will be conveyed in writing to the *Rider* by the Anti-Doping Commission.
45. Where a TUE has been granted, the *Rider* and *WADA* will be promptly provided with a certificate of approval for therapeutic use which includes information pertaining to the duration of the exemption and any conditions associated with the TUE. *WADA* will also be provided with all supporting documentation.

The *Rider* shall carry a copy of the certificate with him at all times and present it to the *Anti-Doping Inspector* at the time of *Testing*.

Abbreviated Therapeutic Use Exemption procedure

46. It is acknowledged that some substances included on the *Prohibited List* are used to treat medical conditions frequently encountered in the athlete population. In such cases, a full application as detailed in article 35.4, and articles 38 - 45, is unnecessary. Accordingly an abbreviated process of the TUE is established.

47. The *Prohibited Substances* or *Prohibited Methods* which may be permitted by this abbreviated process are strictly limited to the following: beta-2 agonists (formoterol, salbutamol, salmeterol and terbutaline) by inhalation and glucocorticosteroids by non-systemic routes.
48. Approval for *Use* of one of the *Prohibited Substances* referred to in article 47 is effective upon receipt of a complete notification by the UCI.

The diagnosis and when applicable any tests undertaken in order to establish that diagnosis should be included (without the actual results or details).

Articles 39, 40 and 43 apply.

Notifications that are incomplete, illegible or do not comply with these Anti-Doping Rules, shall carry no exemption and shall be returned to the applicant.

49. The UCI will advise *WADA* and the *Rider's* National Federation and *National Anti-Doping Organization* on receipt of a regular notification.

The UCI will provide *WADA* with the application for the TUE.

50. A notification for a TUE will not be considered for retroactive approval except in cases where:
- emergency treatment or treatment of an acute medical condition was necessary, or
 - due to exceptional circumstances, there was insufficient time or opportunity for a *Rider* to submit, or the UCI to receive, the application prior to the *Rider's* participation in any *Event*.

Confidentiality of information

51. By applying for a TUE, the *Rider* provides consent for the transmission of all information pertaining to the application to members of the TUEC of the UCI and the TUEC of *WADA* and, as required, other independent medical or scientific experts, or to all necessary staff involved in the management, review or appeal of TUEs and for the decisions of the TUECs to be distributed to other relevant *Anti-Doping Organizations* under the provisions of the *Code*.
52. Should the *Rider* wish to revoke the right of the TUEC of the UCI or the TUEC of *WADA* to obtain any health information on his behalf, the *Rider* must notify his medical practitioners in writing of the fact. As a consequence of such a decision, the *Rider* will not receive approval for a TUE or renewal of an existing TUE.
53. Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the *Rider* and the medical practitioners involved in the *Rider's* care.
54. The members of the TUECs and the administration of the *Anti-Doping Organizations* involved will conduct all of their activities in strict confidence.

Duration of TUE

55. Each TUE will have a specified duration as decided upon by the TUEC. The duration shall be indicated in the certificate of approval for therapeutic use.

No TUE may have a duration of more than 1 (one) year. It may be renewed.

The TUE expires at the end of its duration.

Withdrawal of TUE

TUE granted under standard procedure

56. The TUEC of the UCI may review and withdraw the TUE at any time during the duration of the TUE.
57. The decision of the TUEC of the UCI withdrawing the TUE and the decision of *WADA* or the CAS reversing the granting of the TUE, shall take effect 14 (fourteen) days following notification of the decision to the *Rider*, unless the decision sets a shorter term.

TUE granted under abbreviated procedure

58. The TUEC of the UCI and the TUEC of *WADA* may review and withdraw the TUE at any time during the duration of the TUE.
59. A decision of the TUEC of the UCI or the TUEC of *WADA* withdrawing the TUE and a decision of the CAS reversing the granting of the TUE, shall take effect immediately following notification of the decision to the *Rider*.

The *Rider* will nevertheless be able to apply for a TUE in accordance with the standard procedure.

Results before withdrawal

60. The withdrawal of a TUE and the decision reversing the granting of a TUE shall not apply retroactively. They shall not disqualify the *Rider*'s results before the moment that the decision takes effect.

Results after expiry or withdrawal

61. The Anti-Doping Commission, when conducting the initial review of an *Adverse Analytical Finding*, will consider whether the finding is consistent with expiry or withdrawal of the TUE.

Information

62. The *Rider* and all relevant *Anti-Doping Organizations* shall be notified immediately of any decision withdrawing a TUE or reversing the granting of a TUE.

Review by WADA and appeal to the CAS

Review by WADA at the request of the Rider

63. The *Rider* may request *WADA* to reverse the decision by which the TUEC of the UCI denies or withdraws a TUE.
64. The *Rider* shall provide to the TUEC of *WADA* all the information for a TUE as submitted initially to the UCI, accompanied by the application fee that *WADA* may request. The TUEC of *WADA* will have the ability to request from the *Rider* additional medical information as deemed necessary, the expenses of which shall be met by the *Rider*.
65. Until the review process has been completed, the decision of the UCI remains in effect.
66. If *WADA* reverses the decision of the UCI, the reversal shall not apply retroactively. The *Rider* shall not be entitled to compensation by the UCI, in particular for missed participations in *Events*.
67. The decision by *WADA* reversing the decision by the UCI may be appealed exclusively to the CAS by the UCI.
68. If *WADA* confirms the decision by the UCI, the *Rider* may appeal the decisions by UCI and *WADA* exclusively to the CAS.
69. The time limit for appeal with the CAS is 1 (one) month following receipt of the decision by *WADA*.

Review by WADA on its own initiation

70. *WADA* may, on its own initiation, review and reverse at any time the decision by which the TUEC of the UCI denies or withdraws a TUE.
Articles 64 to 69 shall apply.
71. *WADA* may, on its own initiation, review and reverse at any time the grant of a TUE by the UCI.
72. The decision by *WADA* reversing the grant of the TUE by the UCI may be appealed exclusively to the CAS by the *Rider* or the UCI.
73. The time limit for appeal with the CAS is 1 (one) month following receipt of the decision by *WADA*.

V

Chapter WHEREABOUTS INFORMATION

Registered Testing Pool

74. The Anti-Doping Commission shall identify a UCI *Out-of-Competition Registered Testing Pool* of those *Riders* who are required to provide up-to-date whereabouts information to the UCI.

Comment: only the *Riders* included in the *Registered Testing Pool* are required to provide whereabouts information; however any *Rider* may be tested *Out-of-competition* at any time and at any place, even if he is serving a period of *Ineligibility*.

75. The Anti-Doping Commission shall define the criteria for *Riders* to be included in the *Registered Testing Pool* and may also include *Riders* individually. The Anti-Doping Commission may revise the *Registered Testing Pool* from time to time as appropriate.

76. A *Rider* continues to be included in the *Registered Testing Pool* and to be required to provide up-to-date whereabouts information to the UCI until he has been informed by the Anti-Doping Commission that he has been removed from the *Registered Testing Pool*. *Riders* that serve a period of *Ineligibility* continue to be included in the *Registered Testing Pool* and to be required to provide whereabouts information.

77. A *Rider* who has given notice of retirement from cycling to the UCI may not resume competing at international level unless he notifies the UCI at least 6 (six) months in advance before he expects to return to international competition and is available for unannounced *Out-of-Competition Testing*, at any time during the period before actual return to competition.

Notice of retirement is effective only when the *Rider* has returned his license to his National Federation for that purpose.

Whereabouts information requirements

78. The Anti-Doping Commission shall inform each *Rider* in the *Registered Testing Pool* via written notice that he has been included in the pool and must provide accurate whereabouts information in accordance with these Anti-Doping Rules and with any further instructions that the Anti-Doping Commission may deem appropriate.

The notice shall set the deadline for when the *Rider* is required to submit whereabouts information. This deadline shall be no earlier than 3 (three) weeks after sending the notice and no later than 2 (two) weeks prior to the start of the quarter.

The *Rider* shall confirm written receipt of such notice directly to the Anti-Doping Commission.

79. Each *Rider* in the *Registered Testing Pool* shall file quarterly reports with the Anti-Doping Commission on forms provided by the UCI which specify on a daily basis the locations and times where the *Rider* will be residing, training and competing.
80. Should a *Rider's* plans change from those originally submitted on the whereabouts information forms, the *Rider* shall immediately send updates of all information required in the form so that it is current at all times.
81. The *Rider* shall send his whereabouts information and updates to the Anti-Doping Commission by fax. The *Rider* may also provide whereabouts information and updates by electronic means, once an appropriate electronic system is in place and the *Rider* is informed accordingly.

Failure to comply

82. If whereabouts information is not received in time or is incomplete or inadequate or inaccurate, the Anti-Doping Commission shall provide a written warning to the *Rider*.
- Should the *Rider* after the written warning not provide accurate whereabouts information within 7 (seven) days, the *Rider* shall be provided an additional written warning.
83. A failure to comply with a written warning shall be recorded, unless the Anti-Doping Commission accepts a reasonable justification.
84. Should the *Rider* not be located for *Testing* based on the most up-to-date information received from the *Rider*, the Anti-Doping Commission shall report the missed test, in writing, to the *Rider*.
- The *Rider* shall have the right to provide a written explanation and to prove circumstances within 10 (ten) days from the sending of the report.
- If the Anti-Doping Commission, after having considered the explanations and evidence provided by the *Rider*, finds the explanation not justified, it shall record a missed test and inform the *Rider*.
85. For each attempt to locate the *Rider* for *Testing*, the *Anti-Doping Inspector* shall visit all locations during the times specified by the *Rider* for that date and shall stay 1 (one) hour at each location (or until such moment that the *Rider* had announced to stay at that location, if earlier).
86. Should, in a rolling period of 18 (eighteen) months, a *Rider* receive 3 (three) recorded warnings for failure to provide accurate whereabouts information or a combination of failure to provide accurate whereabouts information and missed tests equals 3 (three), an anti-doping violation has occurred. The Anti-Doping Commission will notify the *Rider's* National Federation and request it to initiate disciplinary proceedings for an anti-doping violation under article 15.4.

87. *Rider's failure to provide accurate whereabouts information and/or missed tests under these Anti-Doping Rules may be combined with failures to provide accurate whereabouts information and/or missed tests recorded by other Anti-Doping Organizations, provided (i) the Anti-Doping Organization had authority under the Code, (ii) the Anti-Doping Commission was informed in time and (iii) the facts recorded by the Anti-Doping Organization constitute, to the satisfaction of the Anti-Doping Commission, a failure to provide accurate whereabouts information or a missed test under these Anti-Doping Rules.*

Coordination with *Anti-Doping Organizations*

88. *The UCI may collect whereabouts information also with the National Federations, WADA and other Anti-Doping Organizations.*
89. *The UCI will make the list of Riders in the Registered Testing Pool available to WADA. The UCI may make the list available to other Anti-Doping Organizations.*
90. *The UCI will submit all whereabouts information to WADA and WADA will make this information accessible to other Anti-Doping Organizations having authority to test the Rider as provided in article 8.*
91. *The UCI may provide whereabouts information to other Anti-Doping Organizations having authority to test the Rider as provided in article 8.*

Confidentiality

92. *The UCI shall maintain whereabouts information in strict confidence at all times and shall use it exclusively for purposes of planning, coordinating or conducting Testing. The UCI shall destroy the whereabouts information after it is no longer relevant for these purposes.*
93. *Under the Code, WADA and all Anti-Doping Organizations having accepted the Code are bound to the same obligations concerning confidentiality of whereabouts information.*

However, the UCI shall not be liable for the use that WADA or any Anti-Doping Organization makes of whereabouts information, even if the information was provided by the UCI. The Rider has no claim against the UCI in this respect.

Obligations of National Federations

94. *National Federations shall assist the UCI in obtaining whereabouts information concerning Riders as requested by the UCI.*
95. *Each National Federation shall assist its National Anti-Doping Organization in establishing the latter's registered testing pool of national level Riders.*

VI

Chapter TESTING

Procedural Guidelines

96. The Anti-Doping Commission shall issue *Procedural Guidelines* for all aspects of *Testing* conducted under these Anti-Doping Rules.

Procedural Guidelines shall be in conformity with these Anti-Doping Rules and in substantial conformity with the *International Standard for Testing*.

Procedural Guidelines shall be binding upon their approval by the President of the UCI.

97. In addition, the President of the Anti-Doping Commission and the *Anti-Doping Inspector* may at any time impose measures which are urgently required to ensure that *Testing* can take place.

Management

98. Except as provided in **article 106**, *Post-Competition Testing* is conducted by an *Anti-Doping Inspector* and a *Medical Inspector*.

Individual Testing is conducted by an Anti-Doping Inspector and a Medical Inspector or by an Anti-Doping Inspector alone.

Comment: *UCI's anti-doping regulations introduced the distinction between Post-Competition Testing and Individual Testing. Whereas the terms Out-of-Competition and In-Competition refer to the period of time in which a test takes place in relation to a given competition, the terms Post-Competition Testing and Individual Testing refer to the organization of the test. Post-Competition Testing is the testing session following a race where a number of participants in that race is tested (see articles 112 et seq.). Post-Competition Testing always takes place in the In-Competition period (see definition in appendix 1).*

Individual Testing is a separate test on an individual rider (see articles 135 et. seq.). It mostly takes place Out-of-Competition, but may also be conducted In-Competition, for example before the start of the race or on a resting day in a stage race. An Out-of-Competition Test is always an Individual Test.

The second paragraph of article 98 indicates that a Medical Inspector is not required for Individual Testing.

(text modified on 1.01.07; 1.02.07).

99. The *Anti-Doping Inspector* is responsible for the on site management of the *Testing*.
100. For World Championships, the Management Committee shall appoint a UCI official doctor who shall be a member of the Anti-Doping Commission or a doctor proposed by the Anti-Doping Commission. The UCI official doctor is responsible for the on site management of the *Testing* at World Championships. He may act as *Medical Inspector*.
101. The *Anti-Doping Inspector* is appointed by the Anti-Doping Commission or, in case of urgency, by its President or his replacement. **The appointment may be made orally.**

However, the *Anti-Doping Inspector* shall be appointed by the National Federation of the country in the following cases:

1. for ***In-Competition Testing (both Post-Competition and Individual Testing)*** at *Events* on the B list according to article 112, c;
2. for ***In-Competition Testing (both Post-Competition and Individual Testing)*** at *Events* at which the National Federation is authorized to test by the UCI according to article 3;
3. for *Out-of-Competition Testing* that the National Federation is authorized to conduct on *Riders* by the UCI.

(text modified on 1.02.07).

102. The *Medical Inspector* shall be responsible for the sample taking as described in these Anti-Doping Rules and in the *Procedural Guidelines*.

103. The *Medical Inspector* shall be a doctor.

(text modified on 1.02.07).

104. **The *Medical Inspector*** shall be appointed by the organizer's National Federation. The race doctor shall not be appointed as *Medical Inspector* for *Testing* at the *Event*.

(text modified on 1.02.07).

105. **For *Post-Competition Testing***, the organizer's National Federation shall also appoint a female nurse to attend the delivery of the *sample* from women if the *Medical Inspector* is a man and a male nurse to attend the delivery of the *sample* from men if the *Medical Inspector* is a woman.

(text modified on 1.02.07).

106. If needs be **for the test to take place** and without prejudice to the responsibility of the National Federation, the *Anti-Doping Inspector* may appoint a *Medical Inspector* and/or a nurse on the spot **or the *Anti-Doping Inspector* or *Medical Inspector* may conduct the *Post-Competition Test* alone, provided he appoints**, where applicable, **a person of the same gender as the *Rider* to witness the delivery of the *sample*.**

(text modified on 1.02.07).

107. For **Individual Testing**, a *Medical Inspector* is not required to be appointed and the tasks and responsibilities otherwise entrusted to the *Medical Inspector* shall be carried out by the *Anti-doping Inspector*. **However, if the *Anti-Doping Inspector* is not of the same gender as the *Rider*, he shall appoint a person of the same gender as the *Rider* to witness the delivery of the sample.**

(text modified on 1.01.0; 1.02.07).

108. The Anti-Doping Commission and, in the case of article 7, the National Federation may arrange to have *Out-of-Competition Testing* carried out by another *Anti-Doping Organization* or by a specialist institute or company. The tasks of the *Anti-Doping Inspector*, *Medical Inspector* and person witnessing the delivery of the sample shall be carried out by the persons or the single person designated for such a purpose by the organization, institute or company in question. **However, the person witnessing the delivery of the sample shall be a doctor or a nurse.**

(text modified on 1.01.07; 1.02.07).

109. Article 108 shall also apply where a National Federation is authorized to conduct *In-Competition Testing*, unless decided otherwise by the Anti-Doping Commission.

110. The *Medical Inspector* may be assisted by another doctor or a nurse.

111. For the taking of *Samples* other than urine *Samples* any person with the appropriate qualifications may be appointed.

Post-Competition Testing

112. A *Post-Competition Testing* session shall be organized at the following *Events*:
- World Championships, Continental Championships and Regional Games, as per the *Procedural Guidelines*;
 - World record and continental record attempts;
 - Any other *Event* designated by the Anti-Doping Commission; these *Events* shall be included on the A list or the B list, depending on whether the *Anti-Doping Inspector* is appointed by the Anti-Doping Commission (A list) or the National Federation of the organizer (B list), in accordance with article 101.
113. At stage races where *Testing* takes place, a *Post-Competition Testing* session shall be organized following each stage unless determined otherwise by the Anti-Doping Commission.
114. At six-day events, *Post-Competition Testing* shall be organized on a minimum of 2 (two) days.

National Federation

- 1 1 5. The National Federation of the organizer of the *Event* shall be responsible for the practical aspects of the organization of the *Post-Competition Testing* session, including the obligations on the organizer. It must insure that all staff and all infrastructure and equipment are available so that *Testing* can be carried out in accordance with these Anti-Doping Rules and the *Procedural Guidelines*.
- 1 1 6. Without prejudice to the application of article 12.1.008 of the Cycling Regulations to the organizer, in the event of negligence in the practical organization of the *Testing* session the National Federation of the organizer shall be liable to a fine not exceeding 10'000 CHF. In *Events* which last more than one day, the fine may be multiplied by the number of days for which the negligence continues.
- 1 1 7. If, as a result of negligence during the practical organization of the *Testing* session, the *Anti-Doping Inspector* appointed by the Anti-Doping Commission is unable to carry out his mission properly, the National Federation and the organizer shall be jointly and severally liable to repay his expenses.

Doping control station

- 1 1 8. Premises suitable for the taking of *Samples* must be provided in the immediate vicinity of the finish line. The location must be clearly signposted from the finish line.
- 1 1 9. Should the circumstances justify it, the Anti-Doping Commission may grant an exemption to the requirement of immediate vicinity. The organizer or his National Federation must submit a fully documented request to the Anti-Doping Commission no later than one month before the start of the *Event*.
- 1 2 0. At the request of the *Anti-Doping Inspector*, the organizer shall appoint an official to protect the entrance of the doping control station and prevent access by persons not involved in *Testing*.

Selection of Riders to be tested

- 1 2 1. The *Riders* to be tested shall be as designated in the *Procedural Guidelines*.

The Anti-Doping Commission may also issue confidential instructions to the Anti-Doping Inspector for the selection of *Riders* to be tested in a particular *Event*.

- 1 2 2. For each *Competition* or *Race* for which a *Post-Competition Testing* session is organized, the *Anti-Doping Inspector* shall draw lots for a first and a second reserve *Rider* who will be subjected to testing in that order if a *Rider* drawn by lot is required to undergo tests as a result of his placing or if a *Rider* meets two criteria for selection simultaneously or if one such *Rider* is unable for practical reasons to undergo *Sample* taking, so that the number of tests called for by the Anti-Doping Commission is carried out.

The reserve *Riders* must check in for *Sample* collection within the prescribed time limit, even if they would not be required to submit to *Sample* collection.

- 1 2 3. The circumstances that another *Rider* was tested than those selected according to the *Procedural Guidelines* or the instructions of the Anti-Doping Commission, shall not invalidate the *Testing* of that *Rider*.

Notification of Riders

- 1 2 4. Any *Rider* including any *Rider* who has abandoned the *Race*, shall be aware that he may have been selected to undergo *Testing* after the *Race* and is responsible for ensuring personally whether he is required to appear for *Sample collection*.

To this end, the *Rider*, immediately after finishing or abandoning the *Race* shall locate and proceed to the place where the list of *Riders* who are required to appear for *Sample collection*, is displayed and consult the list.

The **last thirty starters** in time trials shall consult the list after the last *Rider* finishes his ride. **The other Riders to be tested shall be notified in the way as for Individual Testing.**

The obligations under this article cease to exist as soon as the rider has signed that he has been notified in person that he has been selected to undergo Testing.

(text modified on 1.02.07; 1.01.08).

- 1 2 5. The organizer and the *Anti-Doping Inspector* shall ensure that a list of the *Riders* who are required to appear for *Sample collection* shall be displayed at the finish line and at the entrance of the doping control station before the finish of the winner.

At world championships, the list shall not be displayed at the finish line but instead at another appropriate place that shall be determined and announced by the Anti-Doping Inspector.

Comment: Riders that can't find the list at the finish line, shall always proceed to the doping control station.

(text modified on 1.02.07).

- 1 2 6. At track *Events*, one copy of the list shall be displayed at the entrance of the access tunnel when leaving the track center and the other copy shall be displayed at the entrance of the doping control station.

At trial and indoor *Events*, one copy of the list shall be displayed where the *Riders* leave the course or field after having finished their performance and the other copy shall be displayed at the entrance of the doping control station.

- 1 2 7. *Riders* shall be identified on the list by their name or their race number or their place in the ranking.

128. No *Rider* may take the absence of his name, race number or placing from the displayed list as excuse if he is identified in another manner or if it is established that he had learnt in another way that he was required to appear for *Sample collection*.

Comment: **No additional form of notification (for example: audio announcement) has to be used. The absence of an additional form of notification may never be interpreted as an indication that no Testing will take place and is no excuse for failing to submit to Sample taking.**
When a Rider does not appear for Sample taking, there is no obligation for the Anti-Doping Inspector, the organizer or anyone else to try to contact or notify the Rider.

(text modified on 1.01.08).

129. **A Rider may be notified in person by a chaperone** for *Testing* at a *Post-Competition Testing* session in the same way as for *Individual Testing*.

The organizer is required to provide at least one chaperone for every rider selected to undergo Testing.

(text modified on 1.01.08).

130. **The chaperone** shall remain close to the *Rider* and observe him at all times, and accompany him to the doping control station.

At all times the rider shall remain within sight of the chaperone from the time of notification to the completion of the Sample collection procedure. The Rider's Support Personnel must not hinder the chaperone from continuously observing the Rider.

The absence of a **chaperone** cannot be pleaded as a defense.

(text modified on 1.01.08).

Time-limit for attendance

131. **Except as provided under article 124 for the other riders than the last thirty starters in time trials**, each *Rider* to be tested must present himself at the doping control station within 30 (thirty) of finishing the *Race* or, where appropriate, within 30 (thirty) minutes of the end of an official ceremony in which he has taken part. For a *Rider* required to attend a press conference under a provision of the regulations, the deadline shall be extended to 50 (fifty) minutes.

(text modified on 1.02.07).

132. A *Rider* who has abandoned the *Race* must attend within 30 (thirty) minutes of the finishing time of the last classified *Rider*.

A Rider who has abandoned a time trial race shall proceed immediately to the finish line. If he is selected for testing he shall be notified in the way as for Individual Testing.

(text modified on 1.02.07).

- 1 3 3. A Rider who has to take part in another Race on the same day may, within the time-limit set as above, ask permission from the *Anti-Doping Inspector* to submit to Sample taking after the other Race. The inspector shall decide whether the test should take place immediately or following the other Race.

Report

- 1 3 4. For each *Post-Competition Testing* session, the *Anti-Doping Inspector* shall draw up a report in which he shall attest that *Testing* complies with these Anti-Doping Rules and the *Procedural Guidelines* or note the irregularities that he observed.

(text modified on 1.02.07).

Individual Testing

- 1 3 5. *Individual Testing* may be organized *In-Competition* and *Out-of-Competition*, at any time and any place and without notice.
- 1 3 6. The Anti-Doping Commission shall determine the place and time and the *Riders* to be tested or authorize the National Federation to do so. **The *Anti-Doping Inspector* may test other *Riders* that he finds at the place and time of the test that he was appointed for.**

(text modified on 1.02.07).

- 1 3 7. *Individual Testing* may be carried out at any place where the privacy of the *Rider* is ensured and that is used solely as a doping control station for the duration of the *Sample* collection session.

Sample taking shall be carried out in the best possible manner under the circumstances given and as discreetly as possible.

Notification of Riders

- 1 3 8. *No Advance Notice Testing* shall be the notification method for *Individual Testing* wherever possible.
- 1 3 9. *Riders* shall be called for *Individual Testing* using a notification form.
- 1 4 0. The *Anti-Doping Inspector* shall notify the *Rider* in person. **However**, when the notification takes place *In-Competition* and whenever his team manager or a representative of his club is found at the place where the notification was due to take place, the *Rider* may be notified via his team manager or club representative.

(text modified on 1.02.07).

- 1 4 1 . The *Rider* or his team manager or club representative shall sign the original notification form as proof of receipt. If the *Rider* or his team manager or club representative refuses to sign that he has been notified or evades notification, the *Anti-Doping Inspector* shall note this on the form and inform the *Rider* of the consequences of failing to comply if possible.
- 1 4 2 . During stage races and World Championships, the team manager or club representative must always be in a position to indicate where his *Riders* are in order that they may be contacted as quickly as possible.
- Team managers or club representatives who give incorrect information, refuse to give information or obstruct *Testing* in any other way shall commit an anti-doping violation under article 15.5 (*Tampering or Attempting to tamper*).
- 1 4 3 . The *Rider* notified of *No Advance Notice Testing* shall remain within sight of the *Anti-Doping Inspector* or a chaperone at all times from the moment of in-person notification until the completion of the *Sample* collection procedure. If it was not possible for the *Anti-Doping Inspector* to observe the *Rider* or to have the *Rider* chaperoned at all times, this shall be recorded by the *Anti-Doping Inspector*.
- 1 4 4 . The time-limit within which the *Rider* is to appear for *Sample* taking shall be set by the *Anti-Doping Inspector*, taking account of the circumstances. **Sample collection shall start** as soon as possible and, except in abnormal circumstances, not later than one hour of the *Rider* (or his team manager or club representative) receiving notification. The *Anti-Doping Inspector* may accept a request from a *Rider* to perform urgent preferential activities before proceeding to the doping control station. The request shall be rejected if it will not be possible for the *Rider* to be continuously observed.

Common rules for *Post-Competition Testing* and *Individual Testing*

Attendants

- 1 4 5 . The *Rider* may be accompanied by a person of his choice and an interpreter during the *Sample* collection session except when the *Rider* is passing an urine *Sample*.
- 1 4 6 . A *Minor Rider*, and the witnessing doctor or nurse are entitled to have a representative observe the doctor or nurse when the *Minor Rider* is passing a urine *Sample*, but without the representative directly observing the passing of the *Sample* unless requested to do so by the *Minor Rider*.
- 1 4 7 . When applicable under the *Independent Observer Program*, WADA Independent Observers may attend the *Sample* taking session. WADA Independent Observers shall not directly observe the passing of the *Sample*.
- 1 4 8 . The *Rider*, his attendant and the interpreter and any objects they bring with them may be searched.

Time limit for *Sample* taking

- 1 4 9 . When a *Rider* does not report to the doping control station within the time-limit, the *Anti-Doping Inspector* shall use his judgment whether to attempt to contact the *Rider*.

150. If a *Rider* foresees that he might be prevented from reporting within the time-limit, he shall try, by all available means, to inform the *Anti-Doping Inspector*.

151. At a minimum, the *Anti-Doping Inspector* and, **where applicable**, the *Medical Inspector* shall wait 30 (thirty) minutes after the time-limit before departing.

(text modified on 1.02.07).

152. If the *Rider* reports to the doping control station after the minimum waiting time and prior to the departure of the *Anti-Doping Inspector* **and/or the Medical Inspector, if any, from the doping control station**, they **or he** shall if at all possible proceed with collecting a *Sample* and shall document the details of the delay in the *Rider* reporting to the doping control station.

(text modified on 1.02.07).

153. **[article abrogated on 1.02.07].**

154. The *Sample* taking may not be delayed, for example to await the arrival of the *Rider's* attendant or interpreter.

155. The *Rider* shall only leave the doping control station if authorized by the *Anti-Doping Inspector* and under continuous observation by the *Anti-Doping Inspector* or a chaperone. The *Anti-Doping Inspector* shall consider any reasonable request by the *Rider* to leave the doping control station, until the *Rider* is able to provide a *Sample*.

If the *Anti-Doping Inspector* gives approval for the *Rider* to leave the doping control station, the *Anti-Doping Inspector* shall agree with the *Rider* on:

- a) The purpose of the *Rider* leaving the doping control station; and
- b) The time of return (or return upon completion of an agreed activity).

The *Anti-Doping Inspector* shall document this information and the actual time of the *Rider's* departure and return.

156. The *Anti-Doping Inspector* and, **where applicable**, the *Medical Inspector* shall continue the doping control session until the *Rider* delivers the *Samples* required under these Anti-Doping Rules.

(text modified on 1.02.07).

157. Should the *Rider* leave the doping control station, before the *Sample* is taken, he shall be considered to have refused the test and shall incur the sanctions set out in article 15.3.

158. Should a *Rider* leave the doping control station after the *Samples* are taken but before all the formalities are completed, the *Testing* shall be deemed valid.

159. Should the *Anti-Doping Inspector* or the *Medical Inspector* discharge a *Rider* or terminate the *Testing* session before the *Rider* has been tested, the *Rider* concerned shall be considered as not to have been selected for *Sample* taking and shall not have committed an anti-doping violation for having left the doping control station.

160. The events covered by articles 149 to 159 shall be recorded.

Anomalies

161. Any behavior by the *Rider* and/or persons associated with the *Rider* or anomalies with potential to compromise the *Sample* collection shall be recorded.

162. If there are doubts as to the origin or authenticity of the *Sample*, the *Rider* shall be asked to provide an additional *Sample*. If the *Rider* refuses to provide an additional *Sample*, this shall be recorded by the *Anti-Doping Inspector*. A refusal to provide an additional *Sample* shall be considered as a refusal to submit to *Sample* collection under article 15.3.

Documentation

163. The *Anti-Doping Inspector* shall provide the *Rider* with the opportunity to document any concerns he may have about how the session was conducted.

164. The *Rider* and the *Anti-Doping Inspector* shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the *Rider's Sample* collection session, including any concerns recorded by the *Rider*. The *Rider* representative shall sign on behalf of the *Rider* if the *Rider* is a *Minor*. Other persons present who had a formal role during the *Rider's Sample* collection session may sign the documentation as a witness of the proceedings.

The *Anti-Doping Inspector* or the *Medical Inspector* shall provide the *Rider* with a copy of the records of the *Sample* collection session that have been signed by the *Rider*.

165. By appending his signature on the *Testing* form, the *Rider* confirms that, subject to any concern recorded by the *Rider*:

1. the *Testing* was conducted in accordance with applicable standards and regulations;
2. any subsequent complaint is excluded;
3. he received a copy of the *Testing* form.

Reporting

166. The UCI will report all *Testing* conducted under these Anti-Doping Rules to WADA, including the name of the *Rider*, the date and place of the test and whether the test was *In-Competition* or *Out-of-Competition*.

National Federations that conduct *Testing* under these Anti-Doping Rules shall report all *Testing* to the UCI immediately after *Testing*.

WADA shall make the information accessible to the *Rider*, the *Rider's* National Federation, National Olympic Committee or National Paralympic Committee, *National Anti-Doping Organization* and the International Olympic Committee or International Paralympic Committee.

Property of Samples

- 1 6 7. The *Samples* collected under these Anti-Doping Rules shall become the property of the UCI upon collection.

Samples for screening

- 1 6 8. *Riders* shall be also subject to *Sample* taking for screening purposes.
- 1 6 9. The UCI may use for screening purposes any relevant information collected, received or discovered, including blood *Samples* or other non-urine *Samples* collected pursuant to other regulations. The UCI is not obliged to justify the reason why the *Rider* was targeted and what information was used for screening or targeting.

Sample collection equipment

- 1 7 0. *Sample* collection equipment systems shall be used that:
1. have a unique numbering system incorporated into all bottles, containers, tubes or any other item used to seal the *Rider's Sample*;
 2. have a sealing system that is tamper evident;
 3. ensure the identity of the *Rider* is not evident from the equipment itself;
 4. ensure that all equipment is clean and sealed prior to use by the *Rider*.

Sample transport

- 1 7 1. The *Anti-Doping Inspector* shall be responsible for:
- storing the *Samples* prior to transport;
 - sending the *Samples* with accompanying documentation to the laboratory;
 - sending the *Sample* collection session documentation for the laboratory and the Anti-Doping Commission in accordance with the *Procedural Guidelines*.

Costs of Testing

- 1 7 2. The costs of *In-Competition Testing* initiated and directed by the UCI shall be borne by the organizer of the *Event*.
- 1 7 3. The costs of *Out-of-Competition Testing* directed by the UCI shall be borne by the UCI. The costs of *Out-of-Competition Testing* directed by a National Federation so authorized at its request, shall be borne by that National Federation.
- 1 7 4. The National Federation of the *Rider* shall be responsible for the costs of the B *Sample* analysis.
- 1 7 5. Should a *Rider* be sanctioned following *Testing*, he shall bear the costs incurred for *Out-of-Competition Testing* and B *Sample* analysis.

Analysis of Samples

- 1 7 6. *Samples* shall be sent for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other method approved by WADA) used for the *Sample* analysis shall be determined exclusively by the Anti-Doping Commission.

177. When specific circumstances so justify, the Anti-Doping Commission may request that part of a *Sample* is analyzed in a second laboratory.
178. *Doping control Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the *Code*.
179. Laboratories shall analyze doping control *Samples* and report results in conformity with the *WADA International Standard for Laboratory Analysis*.
180. Subject to articles 168 and 169, no *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Prohibited List*, or as otherwise identified by WADA pursuant to its Monitoring Program, without the *Rider's* written consent.
181. The laboratory shall report any *Adverse Analytical Findings* to the Anti-Doping Commission and WADA or, if the *Adverse Analytical Finding* concerns World Championships, to the UCI official doctor and WADA.

VII

Chapter RESULTS MANAGEMENT

182. Results management under these Anti-Doping Rules, including results management from a test by a National Federation pursuant to articles 3 and 7, shall be conducted by the UCI's Anti-Doping Commission.
183. The Anti-Doping Commission shall refer results management concerning a *License-Holder* who usually does not participate in *International Events*, to the *License-Holder's* National Federation, who shall conduct results management in substantial conformity with this chapter.

Review

184. If after receiving a test analysis report, an inspector's statement, a referral by another *Anti-Doping Organization*, or any document or information regarding a possible anti-doping violation, the Anti-Doping Commission considers that no anti-doping violation or any other breach of these Anti-Doping Rules has taken place, then the case shall be taken no further.

This decision shall not be definitive and the Anti-Doping Commission may reopen the case on its own initiation.

WADA shall be informed of a decision not to proceed with a case. If *WADA* so requests, the Anti-Doping Commission shall reopen the case and request the National Federation to instigate disciplinary proceedings in accordance with article 224.

185. Before taking a decision, the Anti-Doping Commission may order additional investigations. National Federations shall be obliged to conduct such investigations as the Anti-Doping Commission may deem appropriate. All *License-Holders* are obliged to assist.
186. Upon receipt of an *A Sample Adverse Analytical Finding*, the Anti-Doping Commission shall conduct a review to determine whether: (a) an applicable Therapeutic Use Exemption has been granted, or (b) there is any apparent departure from these Anti-Doping Rules, the *Procedural Guidelines* or the *International Standards for Testing* or laboratory analysis that undermines the validity of the *Adverse Analytical Finding*.
187. If the initial review under article 186 does not reveal an applicable Therapeutic Use Exemption or departure from these Anti-Doping Rules, the *Procedural Guidelines*, the *International Standard for Testing* or the *International Standard* for laboratory analysis in force at the time of *Testing* or analysis that undermines the validity of the *Adverse Analytical Finding*, the Anti-Doping Commission shall promptly notify the *Rider's* National Federation of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated, or a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation; (c) the *Rider's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis shall be deemed waived; (d)

the right of the *Rider* and/or the *Rider's* representative to attend the B *Sample* opening and analysis if such analysis is requested; and (e) the *Rider's* right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the *International Standard* for laboratory analysis.

A copy of the notification may be sent to the *Rider* and/or the *Rider's* club or team.

A copy of the notification is sent to WADA and to the *Rider's National Anti-Doping Organization*.

188. The *Rider's* National Federation shall within 2 (two) working days send a copy of the notification from the Anti-Doping Commission to the *Rider* concerned. It shall also notify the UCI that this copy has been sent.
189. The notification of the *Rider's* National Federation under article 187 and the notification of the *Rider* under article 188 shall be confirmed by the dispatch of a registered letter with proof of delivery.
190. Any communication by the National Federation will be deemed valid if sent to the most recent address for the *Rider* as notified to the National Federation.

Analysis of B *Sample*

191. The *Rider* and/or his National Federation and the Anti-Doping Commission shall be entitled to demand the analysis of the B *Sample*.
192. The request for the analysis of the B *Sample* shall indicate whether the *Rider* wants not only the opening, but also the analysis of the B *Sample* to be attended by him or a representative.
193. The request for the analysis of the B *Sample* shall be made directly to the laboratory by the *Rider's* National Federation, either on its own initiative or at the request of the *Rider*. A copy of the request for the analysis must be sent to the UCI at the same time.
194. To be acceptable, the request for the analysis of the B *Sample* by the National Federation shall be sent to the laboratory no more than 5 (five) working days after receipt of the registered letter sent to the National Federation of the *Rider* informing it of the A *Sample Adverse Analytical Finding*.
195. The analysis of the B *Sample* shall be conducted by the laboratory that conducted the analysis of the A *Sample*.

However, if justified by the need to have the B *Sample* analyzed, the UCI Anti-Doping Commission may decide that the analysis of the B *Sample* shall be carried out by another laboratory which it shall designate.

196. The analysis of the B *Sample* may be carried out by 2 (two) laboratories in accordance with article 177. Should the analysis of the A *Sample* carried out in this fashion have shown that the *Adverse Analytical Finding* is verifiable in the second laboratory only, the analysis of the B *Sample* shall be valid if carried out in this laboratory.
197. The opening of the B *Sample* may be attended by the *Rider*, an expert designated by him or by his National Federation, a representative of the *Rider's* National Federation and a representative of the UCI.
198. The analysis of the B *Sample* may be attended by the *Rider* or one representative if such request was made when the B *Sample* analysis was requested. The laboratory may restrict the attendance in order to avoid any disturbance of the analysis.
199. The laboratory, in consultation with the parties involved, sets a date for the analysis of the B *Sample* in a period of 10 (ten) working days after reception of the request excepted the opposed agreement of the Anti-Doping Commission.
200. The B *Sample* analysis of a blood *Sample* shall take place no later than 3 (three) days after the analysis of the A *Sample*. The Anti-Doping Commission shall inform the *Rider* and/or his National Federation as soon as possible of any A *Sample Adverse Analytical Finding* and of the date set for the B *Sample* analysis by fax or by email. The terms and procedures set above shall not apply for notifying the *Rider*.
- The B *Sample* analysis shall be valid, even if the *Rider* did not receive notification in time or was unable to attend or to be represented.
201. No party may claim their inability to attend for the analysis of the B *Sample* on the date set as a reason for invalidating the analysis of the B *Sample*.
202. The *Rider's* National Federation shall be responsible for the costs of the analysis of the B *Sample*.
- The *Rider's* National Federation may submit the request for the analysis following payment by the *Rider* of a sum not exceeding CHF 700.
203. A *Rider* may accept the A *Sample* analytical results and waive the B *Sample* analysis. The UCI may nonetheless elect to proceed with the B *Sample* analysis.
204. If the B *Sample* proves negative, the entire test shall be considered negative and the *Rider*, his National Federation, his *National Anti-Doping Organization* and *WADA* shall be so informed.
205. If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified, the findings shall be reported to the *Rider*, his National Federation, his *National Anti-Doping Organization* and to *WADA*.

A copy of the report may be sent to the *Rider's* team or club.

Follow-up investigations

206. The Anti-Doping Commission shall conduct any follow-up investigation as may be required by the *Prohibited List*. Upon completion of such follow-up investigation, the Anti-Doping Commission shall promptly notify the *Rider* regarding the results of the follow-up investigation and whether or not the Anti-Doping Commission asserts that an anti-doping rule was violated.
207. The costs of follow-up investigations are at the expense of the *Rider*. The *Rider* may be requested to advance costs. If the *Rider* refuses to do so, he is presumed to have accepted the analytical results and the case shall proceed accordingly.

Test results management at World Championships

208. During World Championships, the laboratory shall report any *Adverse Analytical Finding* to the UCI official doctor.

If it is not possible for the test results to reach the UCI official doctor before the end of the Championships, they shall be sent to the UCI Anti-Doping Commission.

209. Upon receipt of an *A Sample Adverse Analytical Finding* from a test conducted at the World Championships, the UCI official doctor shall conduct the review described in article 186 and, where applicable, notify the *Rider* or, should this be impossible, his team manager immediately.
210. The UCI official doctor shall without further formalities call for the analysis of the *B Sample*, at which he has the right to be present. He shall inform the *Rider* and the delegation from his National Federation of the place, date and time of the analysis. No postponement of the analysis may be granted.
211. If the *B Sample* analytical result confirms the *A Sample* analytical result, the UCI official doctor shall inform the *Rider*, the president of the commissaires panel, the Anti-Doping Commission and the *Rider's* National Federation.

The notification to the *Rider's* National Federation may be made to the delegation from that Federation attending the Championships.

Results management at stage races and six-days races

212. During a stage race or a six-day race, upon receipt of an *A Sample Adverse Analytical Finding* from a test conducted at that stage race or a six-days race and completion of the review described in article 186, the Anti-Doping Commission shall notify the *Rider* via the president of the commissaires panel.

The president of the commissaires panel shall hear the *Rider's* explanations.

213. The request for the analysis of the B *Sample* shall be submitted in writing to the *Anti-Doping Inspector* within 3 (three) hours of the notification specified in article 212. The *Rider* shall be issued with a receipt stating the time that the request was submitted.
214. No postponement of the analysis of the B *Sample* may be granted in order to permit attendance by the persons noted in articles 145 and 146 beyond 4 (four) days from the date of the request for the analysis.
215. The *Anti-Doping Inspector* shall submit the B *Sample* analysis report to the president of the commissaires panel.
216. If the B *Sample* analytical result confirms the A *Sample* analytical result, the Anti-Doping Commission shall inform the president of the commissaires panel for the purposes of article 219.

VIII

Chapter PROVISIONAL MEASURES

217. 1. If after the review described in articles 184 to 206 the Anti-Doping Commission asserts that an anti-doping violation under article 15.1 or article 15.2 was committed, the Anti-Doping Commission may ban the *Rider* from participating in *Events* for such time that the violation, in the opinion of the Anti-Doping Commission, is likely to affect the *Rider's* results.
2. Before the ban goes into effect or on a timely basis thereafter, the *Rider* shall be given an opportunity to be heard in either written or oral form. The President of the Anti-Doping Commission may appoint a member of the Anti-Doping Commission, including himself, or an *Anti-Doping Inspector* to hear the *Rider*.
3. The decision shall be taken by the member of the Anti-Doping Commission who has heard the *Rider* or, if the *Rider* was heard by an *Anti-Doping Inspector*, by the President of the Anti-Doping Commission having received the account of the *Anti-Doping Inspector*.

218. If after the initial review described in article 186 and at the eve or during a particular *Event*, the Anti-Doping Commission makes an assertion that an anti-doping violation may have been committed under articles 15.1 or 15.2 and determines that the asserted anti-doping violation, that occurred prior to that *Event*, may affect the *Rider's* results at the *Event*, the Anti-Doping Commission may request that the *Rider* is banned from the *Event*.

The request shall be made to the president of the commissaires panel. The president of the commissaires panel shall summon the *Rider* to be heard and decide whether the *Rider* shall be banned from the *Event*.

219. If, during an *Event* and where applicable after the review described in article 186 the Anti-Doping Commission or, at World Championships, the official doctor asserts that an anti-doping violation has been committed during the same *Event*, the Anti-Doping Commission or the official doctor will inform the president of the commissaires panel for the *Event*. The president of the commissaires panel shall summon the *License-Holder* concerned to be heard. The president of the commissaires panel may *Disqualify* the *Rider* or ban the *License-Holder* from the *Event* subject to the due opinion of the President or another member of the Anti-Doping Commission.

If a *Rider* is *Disqualified* for an asserted violation under articles 15.1 or 15.2 that occurred during a team race, the *Rider's* team shall be relegated to the last place of the race. In stage races on the road and subject to the application of article 279 after the decision of the hearing body, the team will be given its actual time.

220. **[article abrogated on 25.09.07].**

221. The provisional measures under articles 217, 218 and 219 may be combined. Such provisional measures may also be imposed on *Rider's Support Personnel* against whom an anti-doping violation is asserted for any period prior to the decision of the hearing body.
222. The provisional measures stipulated above are intended to preserve fair competition. They shall not prejudice the decision whether an anti-doping violation has occurred and shall not give rise to any claim in the event that the *License-Holder* is acquitted.
223. Provisional measures regarding a *License-Holder* who has been referred to his National Federation according to article 183, shall be governed by the rules of the National Federation. Under all circumstances such *License-Holder* shall be *Disqualified* from participation in an *International Event* prior to the decision of the hearing body.

IX

Chapter RIGHT TO A FAIR HEARING

224. When, following the results management process described in chapter VII, the Anti-Doping Commission makes an assertion that these Anti-Doping Rules have been violated, it shall notify the *License-Holder's* National Federation and request it to instigate disciplinary proceedings. It shall also send a copy of the test analysis report and/or other documentation. A copy of the statement may be sent to the *License-Holder* and/or the *License-Holder's* club or team.

A copy of the statement is sent to WADA and to the *License-Holder's* National Anti-Doping Organization.

License-Holder called before his National Federation

225. The *License-Holder's* National Federation shall call the *License-Holder* before it to hear his grounds and explanations.

This summons must be sent within 2 (two) working days of the receipt of the statement under Article 224.

226. The summons shall be sent by registered letter. It shall indicate the nature of the case against the *License-Holder*. The summons must be accompanied by a copy of the test analysis reports and documents received by the Federation from the Anti-Doping Commission. If these enclosures are missing, the *License-Holder* must notify the National Federation without delay.

227. The summons must be sent at least 10 (ten) days before the hearing to which the *License-Holder* has been called. A copy of the summons shall be sent to the UCI at the same time.

The summons shall indicate the date, time and venue for the hearing.

228. A single postponement to the hearing may be granted of not more than 8 (eight) days, except where the party concerned establishes a case of force majeure.

229. The *License-Holder* may forgo the hearing in which event the case will be conducted in writing.

Rights of the defense

230. The *License-Holder* shall be heard and the case investigated by the competent hearing body of the *License-Holder's* National Federation in accordance with the regulations of the *License-Holder's* National Federation whilst taking account of the following articles.

231. The hearing body shall be fair and impartial.

232. At the request of one of the parties to the case or at their own request the following shall also be heard: the organiser's National Federation, the laboratory which carried out the analysis, the *Anti-Doping Inspector*, the *Medical Inspector*, witnesses and expert witnesses.
- The interested party shall be responsible for calling these persons to the proceedings and for their costs. It shall at the same time notify the other parties and the competent body.
233. The UCI may give its opinion in each case and demand that a sanction be imposed, either in writing or at the hearing.
- It may call for a copy of the documentation of the case in full, including the proceedings of the hearing and the documents submitted by the parties.
234. The parties must provide each other with all the statements and documents which they intend to submit at the earliest opportunity. They shall also send them to the UCI at the same time.
235. The *License-Holder* has the right to see the contents of the case files. Each party may obtain a copy at its own expense.
- Furthermore the case files may be consulted during the hearing.
236. The hearing shall be public unless the *License-Holder* requests otherwise.
- The president of the hearing body may also as of right prohibit public access to the room during all or part of the hearing in the interest of public order or when the protection of privacy or medical secrecy justifies it.
237. Each party shall have the right to be represented by a qualified lawyer or by a representative on presentation of authorization in writing. The parties may be aided by any other person of their choice.
238. Each party and any witnesses and expert witnesses called shall be heard subject to the hearing body's discretion to accept testimony by telephone or written submission. The *License-Holder* shall have the right to speak last.
239. In the event that a party who has been convened should fail to appear, the case will be heard in that party's absence. The decision shall be deemed to have been taken after due hearing of the parties.
240. If the hearing body determines that the *License-Holder* has insufficient knowledge of the language of the proceedings, the *License-Holder* has the right to an interpreter at the hearing. The hearing body will determine the identity and responsibility for the cost of the interpreter.
241. Each party is responsible for the costs of interpreters for its witnesses and experts.

Decision

- 24.2. The decision of the hearing body shall note the identities of the parties called or heard and shall contain a brief summary of the procedure.

It shall bear the names of the persons who took the decision and must be signed by them.

- 24.3. The decision shall be dated and reasoned.

It shall, where appropriate, indicate the *Prohibited Substances* or *Prohibited Methods* for which the *Rider* has been declared positive.

It shall indicate the sanctions imposed on the *License-Holder*.

Costs

- 24.4. Subject to article 245 and in the absence of a specifically justified decision, each party shall bear the costs which it incurs.

- 24.5. If the *License-Holder* is found guilty of an anti-doping violation, he shall bear:

1. The cost of the proceedings as determined by the hearing body.
2. The cost of the result management by the Anti-Doping Commission; the amount of this cost shall be CHF 1000, unless a higher amount is claimed by the UCI and determined by the hearing body.
3. The cost of the B *Sample* analysis, where applicable. The National Federation shall be jointly and severally liable for its payment to the UCI.

The *License-Holder* shall owe the costs under 2) and 3) also if they were not awarded in the decision.

- 24.6. Should the *License-Holder* be acquitted the party nominated in the decision shall be liable for the costs under article 245.2.

Notification of the decision

- 24.7. One full copy of the decision, signed at least by the president of the hearing body, shall be sent to the *License-Holder* and the UCI. These copies shall be sent by registered post with proof of receipt within 3 (three) working days of the decision. The UCI shall send the text of the decision to *WADA* and to the *License-Holder's National Anti-Doping Organization*.

Exclusion of an appeal at national level

- 24.8. The decision by the hearing body of a *License-Holder's National Federation* shall not be subject to an appeal before another body (appeals board, tribunal, etc.) at National Federation level.

If such an appeal is entered, it must be declared inadmissible. Any other decision is void as of right. However, the UCI may ask the Court of Arbitration for Sport (CAS) to pronounce nullity where appropriate upon supplementary application in an appeal procedure against the decision of the competent body. This application may be made at any time during the procedure before the CAS.

Duration of the proceedings

249. The National Federation shall keep the UCI fully informed as to the status of the case.

250. The proceedings before the hearing body of the *License-Holder's* National Federation must be completed within 1 (one) month from the time limit set for the dispatch of the summons.

The National Federation shall be penalized by the disciplinary commission, incurring a fine of CHF 5000 for each week's delay without prejudice to the obligation to complete proceedings as fast as possible.

251. If the completion of the hearing is delayed beyond three months, the UCI may elect to bring the case directly to a single arbitrator from the Court of Arbitration for Sport (CAS), acting as a first instance tribunal. The case shall be handled in accordance with the Court of Arbitration for Sport appeal procedure without reference to any time limit for appeal. The *License-Holder's* National Federation shall be summoned to participate in the proceedings and shall bear all costs resulting for all parties from bringing the proceedings from the National Federation to the CAS.

252. The *License-Holder* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Disqualification*, *Ineligibility* and costs consistent with these Anti-Doping Rules as proposed or accepted by the Anti-Doping Commission.

253. If any new fact is revealed of a nature which might alter the decision issued by the hearing body of the *License-Holder's* National Federation after the date of pronouncement, the interested party may request that the case be reopened before the National Federation, unless it is possible to raise the new issue in existing proceedings before the CAS.

The new evidence must predate the decision of the hearing body, and the party submitting it must establish that it could not have known about it prior to the hearing where the decision was issued.

The request to reopen the case must be made within one month of the party's becoming aware of the evidence in question or it shall be debarred. The burden of proof regarding this date shall lie with the party submitting the new evidence.

254. Articles 248, 250 and 251 shall not apply to the *License-Holder* that was referred to his National Federation according to article 183.

X

Chapter SANCTIONS AND CONSEQUENCES

255. These Anti-Doping Rules concerning sanctions and consequences shall be construed and implemented in compliance with human rights and general principles of law, among which proportionality and individual case management.

Automatic Disqualification of individual results

256. A violation of these Anti-Doping Rules in connection with an *In-Competition* test automatically leads to *Disqualification* of the individual result obtained in that *Competition*.

Disqualification of Results in Event during which an Anti-Doping Rule Violation occurs

257. Except as provided in articles 258 and 259, an anti-doping rule violation occurring during or in connection with an *Event* leads to *Disqualification* of the *Rider's* individual results obtained in that *Event* according to the following rules:
1. If the violation is a violation of
 - a) article 15.5 (*Tampering or Attempting to tamper*), or
 - b) article 15.6 (*Possession*), or
 - c) article 15.7 (*Trafficking*), or
 - d) article 15.8 (*Administration, Attempted administration or any type of complicity*),
 all of the *Rider's* individual results are disqualified.
 2. If the violation involves
 - a) the presence, *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (articles 15.1 and 15.2), other than a *Specified Substance*; or
 - b) evading *Sample* collection or refusing to submit to *Sample collection* (article 15.3); or
 - c) failing to submit to *Sample collection* (article 15.3), except when the *Rider* establishes that he bears *No Significant Fault or Negligence*;
 all of the *Rider's* results are disqualified, except for the results obtained (i) in *Competitions* prior to the *Competition* in connection with which the violation occurred and for which the *Rider* was tested with a negative result, and (ii) in *Competitions* prior to the *Competition(s)* under point i.
 3. If the violation involves the presence, *Use* or *Attempted Use* of a *Specified Substance*, all of the *Rider's* results obtained in *Competitions* posterior to the *Competition* in connection with which the violation occurred are disqualified, except for those results which were not likely to have been affected by the violation.

4. If the violation is a failure to submit to *Sample collection* and if the *Rider* establishes that he bears *No Significant Fault or Negligence*, the *Rider's* results obtained in other *Competitions* shall not be disqualified.

(text modified on 26.06.07).

258. If the anti-doping violation involves the presence, *Use or Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (article 15.1 and 15.2) and the *Rider* establishes that he bears *No Fault or Negligence*, his individual results in the other *Competitions* shall not be disqualified except to the extent that they were likely to have been affected by the *Rider's* anti-doping violation.
259. 1. If the *Event* is a stage race, an anti-doping violation committed in connection with any stage, entails *Disqualification* from the *Event*, except when (i) the anti-doping violation involves the presence, *Use or Attempted Use* of a *Prohibited Substance* or a *Prohibited Method*, (ii) the *Rider* establishes that he bears *No Fault or Negligence* and (iii) his results in no other stage were likely to have been influenced by the *Rider's* anti-doping violation.
2. If the anti-doping violation committed in a stage race involves the presence, *Use or Attempted Use* of a *Specified Substance* and only a warning and reprimand are imposed, *Disqualification* from the *Event* is optional.

If the *Rider* is not *Disqualified* from the *Event*, 1% (one percent) of the time recorded by the *Rider* during the stage on which he tested positive shall be added to the final time on the individual classification. The number of points scored during that same stage shall be deducted from the final classification. Any prize won in connection with the stage in which the anti-doping violation occurred shall be forfeited.

260. In those cases that are not considered under articles 257 to 259, the *Disqualification* of the *Rider's* individual results obtained on the *Event* is optional.

Imposition of *Ineligibility* for *Prohibited Substances* and *Prohibited Methods*

261. Except for the specified substances identified in article 262, the period of *Ineligibility* imposed for a violation of article 15.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), article 15.2 (*Use or Attempted Use* of *Prohibited Substance* or *Prohibited Method*) and article 15.6 (*Possession of Prohibited Substances and Methods*) shall be:

First violation: 2 (two) years' *Ineligibility*

Second violation: Lifetime *Ineligibility*

However, the *License-Holder* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in articles 264 and 265.

Specified Substances

262. Where a *Rider* can establish that the Use of a *Specified Substance* was not intended to enhance sport performance, the period of *Ineligibility* found in article 261 shall be replaced with the following:

- First violation: At a minimum, a warning and reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, 1 (one) year's *Ineligibility*.
- Second violation: 2 (two) years' *Ineligibility*
- Third violation: Lifetime *Ineligibility*

However, the *License-Holder* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in articles 264 and 265.

***Ineligibility* for other Anti-Doping Rule Violations**

263. The period of *Ineligibility* for other violations of these Anti-Doping Rules shall be:

1. For violations of article 15.3 (evading *Sample* collection, refusing or failing to submit to *Sample* collection) or article 15.5 (*Tampering with Doping Control* or *Attempting*), the *Ineligibility* periods set forth in article 261 shall apply.
2. For violations of article 15.7 (*Trafficking*) or article 15.8 (administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of 4 (four) years up to lifetime *Ineligibility*. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Rider Support Personnel* for violations other than specified substances referenced in article 262, shall result in lifetime *Ineligibility* for such *Rider Support Personnel*. In addition, violations of such articles which also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.
3. For violations of article 15.4, as defined in article 86, (*Whereabouts Violations* or *Missed Tests*), the period of *Ineligibility* shall be:

- First violation: 3 (three) months to 1 (one) year *Ineligibility*.
- Second and subsequent violations: 1 (one) year to 2 (two) years' *Ineligibility*.

Elimination or Reduction of Period of *Ineligibility*

264. If the *Rider* establishes in an individual case involving an anti-doping rule violation under article 15.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*) or *Use of a Prohibited Substance* or *Prohibited Method* under article 15.2) or an anti-doping violation under article 15.6 (*Possession of Prohibited Substances* or *Methods*) that he bears *No Fault or Negligence* for the violation, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in a *Rider's Specimen* in violation of article 15.1 (presence of a *Prohibited Substance*), the *Rider* must also establish how the *Prohibited Substance* entered his system in order to have the period of *Ineligibility* eliminated. In the event this article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under articles 261, 262 and 269-271.
265. This article 265 applies to anti-doping rule violations involving article 15.1 (presence of a *Prohibited Substance* or its *Metabolites* or *Markers*), *Use of a Prohibited Substance* or *Prohibited Method* under article 15.2, failing to submit to *Sample* collection under article 15.3, *Possession of Prohibited Substances* or *Methods* under article 15.6 or administration of a *Prohibited Substance* or *Prohibited Method* under article 15.8. If a *License-Holder* establishes in an individual case involving such violations that he bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the minimum period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 (eight) years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in a *Rider's Specimen* in violation of article 15.1 (presence of *Prohibited Substance*), the *Rider* must also establish how the *Prohibited Substance* entered his system in order to have the period of *Ineligibility* reduced.
266. The Hearing Panel may also reduce the period of *Ineligibility* in an individual case where the *License-Holder* has provided substantial assistance which results in discovering or establishing an anti-doping rule violation by another *Person* involving *Possession* under article 15.6.2 (*Possession by Rider Support Personnel*), article 15.7 (*Trafficking*), or article 15.8 (administration to a *Rider*). The reduced period of *Ineligibility* may not, however, be less than one-half of the minimum period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than 8 (eight) years.
267. If the sanction imposed exceeds the maximum set under these Anti-Doping Rules, it shall automatically be reduced to this maximum, without prejudice to the right of appeal of the person sanctioned.

Declaration or admission of doping

268. A *License-Holder* who declares or admits to having committed an anti-doping violation shall be considered as having committed that violation on the day of the declaration or admission, unless the facts admitted or declared can be tied to a specific instance, in which case the sanctions in force at the time of the facts shall be applied.

Rules for Certain Potential Multiple Violations

269. For purposes of imposing sanctions under articles 261, 262 and 263, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if it is established that the *License Holder* committed the second anti-doping rule violation after he received notice, or after a reasonable attempt was made to give notice of the first anti-doping rule violation; if not, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.
270. Where a *Rider*, based on the same *Testing*, is found to have committed an anti-doping rule violation involving both a *Specified Substance* under article 262 and another *Prohibited Substance* or *Prohibited Method*, the *Rider* shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the *Prohibited Substance* or *Prohibited Method* that carries the most severe sanction.
271. Where a *Rider* is found to have committed 2 (two) separate anti-doping rule violations, one involving a *Specified Substance* governed by the sanctions set forth in article 262 (*Specified Substances*) and the other involving a *Prohibited Substance* or *Prohibited Method* governed by the sanctions in article 261 or a violation governed by the sanctions in article 263.1, the period of *Ineligibility* imposed for the second violation shall be at a minimum 2 (two) years' *Ineligibility* and at a maximum 3 (three) years' *Ineligibility*. Any *Rider* found to have committed a third anti-doping rule violation involving any combination of *Specified Substances* under article 262 and any other anti-doping rule violation under article 261 or 263.1 shall receive a sanction of lifetime *Ineligibility*.
272. If an anti-doping violation has been sanctioned without consideration having been given to a former condemnation for another violation, the case may be reopened at the request of the Anti-Doping Commission.
273. Should an anti-doping violation be discovered that has occurred prior to another violation that has already been sanctioned, the former shall be sanctioned as a second or subsequent violation.

Disqualification of Results in Competitions Subsequent to anti-doping violation

274. In addition to the automatic *Disqualification* of the results in the *Competition* pursuant to article 256, all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other doping violation occurred, through the commencement of any *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified*.

Comment: it may be considered as unfair to disqualify the results which were not likely to have been affected by the *Rider's* anti-doping rule violation.

Commencement of *Ineligibility* Period

275. The period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period during which provisional measures pursuant to articles 217 through 223 were imposed or voluntarily accepted shall be credited against the total period of *Ineligibility* to be served. Where required by fairness, such as delays in the hearing process or other aspects of Doping Control not attributable to the *License-Holder*, the hearing body imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of the anti-doping violation.

(text modified on 26.06.07: amendment applicable on any case not finally decided on 26 June 2007).

Reinstatement *Testing*

276. As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, a *Rider* must, during any period of provisional measures or *Ineligibility*, make himself available for *Out-of-Competition Testing* by the UCI and any other *Anti-Doping Organization* having *Testing* jurisdiction under the *Code*, and must provide current and accurate whereabouts information as provided in article 76.
277. If a *Rider* subject to a period of *Ineligibility* retires from sport and is removed from UCI's *Registered Testing Pool* and later seeks reinstatement, the *Rider* shall not be eligible for reinstatement until he has notified the UCI and his National Federation and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in article 77 or the period of *Ineligibility* remaining as of the date the *Rider* had retired.

Consequences to teams

278. Except as provided in article 279, if a *Rider* is found to have committed an anti-doping violation in connection with a team *Competition* in which he participated as a member of a team, the team shall be *disqualified* from that *Competition*.

If such *Rider* is *disqualified* from other *Competitions* of the same *Event* under articles 257.2a or 3 or article 258, any team, whether composed differently or not, of which such *Rider* was a member, shall be *disqualified* from the same *Competitions* as the *Rider*.

279. In the case of a team **time trial** stage during a stage race, the team shall be relegated to the last place on the stage with its real time and with a 10 (ten) minutes penalty on the general classification of teams. If more than one *Rider* on the team is found to have committed an anti-doping violation during the same team **time trial** stage, the team is *disqualified* from the stage race.

(text modified on 26.06.07).

XI

Chapter APPEAL TO THE CAS

280. The following decisions may be appealed to the Court of Arbitration for Sport:
- the decisions of the hearing body of the National Federation under article 242;
 - a decision that a *Rider* shall be banned from participating in *Events* under article 217 if the ban is for more than 1 (one) month;
 - the decisions concerning Therapeutic Use Exemptions as specified under articles 67, 68, 70 and 72.
 - the final decision at the level of the National Federation regarding a *License-Holder* that was referred to his National Federation according to article 183.

No other form of appeal shall be permitted.

281. In cases under article 280 a), the following parties shall have the right to appeal to the CAS:
- the *License-Holder* who is the subject of the decision being appealed;
 - the other party to the case in which the decision was rendered;
 - the UCI;
 - the International Olympic Committee or International Paralympic Committee, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games;
 - WADA.

282. The appeal of the UCI shall be made against the *License-Holder* and against the National Federation that made the contested decision and/or the body that acted on his behalf. The National Federation or body concerned shall be liable for costs if the hearing body which made the decision against which the appeal has been made has applied the regulations incorrectly.

283. An appeal by the *License-Holder* shall be made against his National Federation.

The National Federation must immediately send the UCI a copy of the statement of appeal and of any submissions or briefs made before the CAS.

The UCI shall have the right to participate in the proceedings before the CAS and demand that a sanction is imposed or increased.

284. The statement of appeal by the *License-Holder* or the other party to the case must be submitted to the CAS within 1 (one) month of his receiving the full decision as specified in article 247. Failure to respect this time limit shall result in the appeal being disbarred.

285. The statement of appeal by the UCI, the International Olympic Committee, the International Paralympic Committee or WADA must be submitted to the CAS within 1 (one) month of receipt of the full case file from the hearing body of the National Federation. Failure to respect this time limit shall result in the appeal being disbarred. Should the appellant not request the file within 15 (fifteen) days of receiving the full decision as specified in article 247, the time limit for appeals shall be 1 (one) month from the reception of that decision.

286. If the respondent makes a counter-appeal, the appellant has the right to respond within 1 (one) month of receiving the respondent's reply, except where extended by the CAS. If the respondent is the *License-Holder*, he shall have the right to submit an additional statement within 15 (fifteen) days of receiving the appellant's reply, unless the time limit is extended by the CAS.
287. In cases under article 280 b), the *Rider* only shall have the right to appeal to the CAS.
- The appeal shall be made against the UCI.
- The time to file the appeal to the CAS shall be 8 (eight) days from receipt of the decision by the *Rider* or his National Federation or his club or team.
288. An appeal to the CAS shall not suspend the execution of the contested decision, without prejudice to the right to apply to the CAS for it to be suspended.
289. The CAS shall have full power to review the facts and the law. The CAS may increase the sanctions that were imposed on the appellant in the contested decision.
290. The CAS shall decide the dispute according to these Anti-Doping Rules and the rules of law chosen by the parties or, in the absence of such a choice, according to Swiss law.
291. The decision of the CAS shall be final and binding on the parties to the case and to all *License-Holders* and National Federations. It shall not be subject to appeal.

XII

Chapter CONFIDENTIALITY AND PUBLIC DISCLOSURE

Duty of confidentiality

292. Persons carrying out a task in *Doping Control* are required to observe strict confidentiality regarding any information concerning individual cases which is not required to be reported under these Anti-Doping Rules.

Such breaches of confidentiality shall be penalized by a fine of between CHF 1000 and CHF 10 000 as decided by the UCI Disciplinary Commission, which may also suspend the person in question from specified tasks for such time as it shall determine.

Public disclosure

293. Public disclosure shall be made by the Anti-Doping Commission or the National Federation as described in article 295.
294. *License-Holders* who are asserted to have committed a violation of these Anti-Doping Rules shall in principle not be publicly identified until it has been determined in a decision in accordance with articles 230 to 243 that an anti-doping violation has occurred.

However, the Anti-Doping Commission and the National Federation of the *License-Holder* who is asserted to have committed a violation of these Anti-Doping Rules may make public statements and identifications they deem appropriate under the circumstances, but not earlier than the moment of sending the notification referred to in article 224.

295. Once a violation of these Anti-Doping Rules has been established in a decision referred to in article 243, it shall be publicly reported as follows:
- if the UCI decides to appeal to the CAS, the UCI will report the violation, the decision and its decision to appeal no later than the expiration of the time limit for the appeal;
 - if the UCI decides not to appeal to the CAS, it will report the violation and the decision no later than 10 (ten) days after the expiration of the time limit for the appeal.
 - if the *License-Holder* or *WADA* appeals to the CAS, the UCI will report the violation, the decision and the appeal within 10 (ten) days after the appeal was notified to the UCI.

Publication

296. The definitive sanctions and the name of the person penalized shall be published in the UCI Official News Bulletin and/or in the official bulletin of the National Federation of the person penalized.

Register

297. The Anti-Doping Commission shall maintain a register of the penalties applied. This shall list the name of the *License-Holder*, his National Federation, his category (elite or other), the name and date of the *Event*, the penalties imposed, the date of the decision regarding the penalties and the body which imposed them.

XIII

Chapter FINAL PROVISIONS

Third *Sample*

298. The UCI shall have the right to demand that a third *Sample* be taken at a *Sample* taking session. The Anti-Doping Commission shall issue instructions to his end to the *Anti-Doping Inspector*. The *Sample* taking procedures shall be applied *mutatis mutandis*. The taking of a third *Sample* shall be recorded.

Where appropriate, the further analysis of such *Samples* shall give rise to action for an anti-doping violation and sanctions.

Violations described under articles 15.3 and 15.5 shall apply regarding the third *Sample*.

Medication

299. In *Events* designated by the Anti-Doping Commission, team or club doctors will be obliged to list all medicines taken by each *Rider* and their dosages and any medical treatment that they may have undergone during the preceding 72 (seventy-two) hours. Failure to do so shall make the team ineligible to start the race.

National Federations

300. When a National Federation receives from third parties information concerning a possible anti-doping violation, it shall immediately inform the Anti-Doping Commission of the UCI.
301. All National Federations shall include in their regulations the rules necessary to effectively implement these Anti-Doping Rules.
302. For the purpose of these Anti-Doping Rules, the organizer's National Federation shall take on the role of the *License-Holder's* National Federation as regards *License-Holders* who have obtained their license directly from the UCI.
303. Without prejudice to article 13 of the Constitution, National Federations shall be obligated to reimburse the UCI for all costs related to a doping case in which the National Federation was not cooperative or did not comply with these Anti-Doping Rules.

Non-License-Holders

304. 1. If a breach of these Anti-Doping Rules is committed by a non-*License-Holder*, the Anti-Doping Commission and/or any National Federation involved shall take whatever steps are necessary to take proceedings before the competent bodies against the person in question.
2. Right to a fair hearing having granted, the Anti-Doping Commission may ban this person from attending a cycling *Event*. It may also ban any National Federation, club or trade team from making use of services offered by this person, with breaches of such a ban being subject to a fine of between CHF 1000 and CHF 10000 as determined by the Disciplinary Commission. These measures and sanctions may be taken independently of the procedure noted under paragraph 1.

Independent Observers

305. Organizers shall provide access to Independent Observers as directed by the UCI.

Recognition of decisions by other organizations

306. 1. Subject to the right to appeal provided in chapter XI, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* to the *Code* which are consistent with the *Code* and are within the *Signatory's* authority, shall be recognized and respected by the UCI and the National Federations.
2. The UCI may recognize the same actions of other bodies which have not accepted the *Code* if the applicable rules of those bodies are otherwise consistent with the *Code*. The National Federations shall respect such actions when recognized by the UCI.
3. When agreed or otherwise decided between the UCI and the competent authorities, the UCI and the National Federations may administrate results management, hearings and appeals for the application of anti-doping legislation.

Statute of limitations

307. No action may be commenced under these Anti-Doping Rules against a *License-Holder* for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within 8 (eight) years from the date the violation occurred.

Any request for investigation or for disciplinary action and any act of investigation or disciplinary action in relation with the violation shall be considered as commencement of the action for the purpose of this article.

Interpretation of Anti-Doping Rules

- 308.
1. The headings used for the various parts and articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
 2. The Introduction and the Appendix 1 "Definitions" shall be considered integral parts of these Anti-Doping Rules.
 3. Notice to a *License-Holder* may be accomplished by delivery of the notice to his National Federation or as provided by these Anti-Doping Rules. The National Federation shall be responsible for making immediate contact with the *License-Holder*.
 4. These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules came into effect.

Entry into force

- 309.
- This version of the Anti-Doping Rules of the UCI shall come into force on 13 August 2004, except:
- 1) Until 31 December 2004, the therapeutic use exemption rules of the Anti-Doping Examination rules in force on 12 August 2003, continue to be in force and the exemption remain valid under these Anti-Doping Rules.
 - 2) Article 15.4 shall come into force on 1 January 2005.
 - 3) Until the introduction of the Procedural Guidelines of the Anti-Doping Commission, *Doping Control* shall be deemed in compliance with these Anti-Doping Rules when in compliance with the Anti-Doping Examination Regulations in force on 12 August 2004.
 - 4) Until 31 December 2004, results management and disciplinary proceedings (hearings and appeals), shall be deemed in compliance with these Anti-Doping Rules when in compliance with the Anti-Doping Examination Regulations in force on 12 August 2004.
 - 5) The Anti-Doping Examination Regulations in force on 12 August 2004 remain in force until 31 December 2004 for *National Events*.
 - 6) Any period of suspension imposed under the Anti-Doping Examination Regulations in force until 12 August 2004 ends on 12 August 2004 if at that moment it exceeds the maximum set under these Anti-Doping Rules, and is reduced to this maximum otherwise.
- 310.
- Amendments to these Anti-Doping Rules shall come into force on the date of their publication in the Official News Bulletin unless this publication specifies a different date for entry into force.

(Appendix 1)

DEFINITIONS

Adverse Analytical Finding:

A report from a laboratory or other approved *Testing* entity that identifies in a *Specimen* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

Anti-Doping Inspector:

Doping control officer with overall responsibility for the on site management of the *Testing* as described in these Anti-Doping Rules and in the *Procedural Guidelines*.

Anti-Doping Organization:

A *Signatory* of the Code that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, WADA, International Federations, and *National Anti-Doping Organizations*.

Attempt:

Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the attempt prior to it being discovered by a third party not involved in the *Attempt*.

Code:

The World Anti-Doping Code. The Code is available on WADA's website at www.wada-ama.org or via UCI.

Competition:

A single *Race* organized separately (for example: a one day road race, each of the time trial and road race at the road World Championships) or a series of *Races* forming an organizational unit and producing a final winner and/or general classification (for example: a road race, a track sprint race tournament, a cyclo-ball tournament) (Note: a World Cup series is not an *Event* or *Competition*).

Disqualification:

See article 12.1.022 of the UCI Cycling Regulations.

Doping Control:

The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

Event:

A single *Competition* organized separately (for example: a one day road race, a stage race) or a series of *Competitions* conducted together as a single organization (for example: road World Championships, track World Championships, a track World Cup event); a reference to *Event* includes reference to *Competition* and *Race*, unless the context indicates otherwise.

In-Competition:

In-Competition refers to the period that starts one day before or, in the case of a major tour, three days before the day of the start of an *Event* and finishing at midnight of the day on which the *Event* finishes.

However, regarding the *Presence* or *Use* of a prohibited stimulant as defined in the *Prohibited List*, *In-Competition* refers to the period starting 8 (eight) hours before the start of a *Race* in which the *Rider* is competing or for which he has been confirmed as a starter and finishing at the end of the *Post-Competition Testing* session that is organized following the *Race*.

Independent Observers Program:

A team of observers, under the supervision of WADA, who observe the *Doping Control* process at certain *Events* and report on observations. If WADA is testing *In-Competition* at an *Event*, the observers shall be supervised by an independent organization.

Individual Testing:

Testing on *Riders* that is organized separately, as opposed to *Post-Competition Testing* sessions following a *Race* or *Competition*. *Individual Testing* takes place *In-Competition* (on *Riders* who participate in the *Competition* or were confirmed as starters, at any time other than during the *Post-Competition Testing* session) or *Out-of-Competition*.

Ineligibility:

Under these Anti-Doping Rules, *Ineligibility* is defined as a suspension as described in article 12.1.033 of the UCI Cycling Regulations.

Ineligibility also means that the *License-Holder* is barred, for the period of *Ineligibility*, from participating in any *Competition* or other activity organized or authorized by any *Signatory* or *Signatory's* member organization, and from any funding as provided in article 10.9 of the *Code*.

International Event / Competition / Race:

An *Event*, *Competition*, *Race* of the international calendar of the UCI.

International Standards:

Standards adopted by WADA in support of the *Code*. Compliance with the *International Standards* (as opposed to other alternative standards, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standards* were performed properly.

License-Holder:

- 1) A *Person* who is holder of a license or who has applied for a license under the UCI Cycling Regulations;
- 2) Any *Person* who, without being a holder of a license, participates in a cycling *Event* in any capacity whatsoever, including, without limitation, as a coach, trainer, manager, team director, team staff, agent, official, medical or para-medical personnel;
- 3) Any *Person* who, without being a holder of a license, participates, in the framework of a club, trade team, national federation or any other structure participating in races, in the preparation or support of *Riders* for sports competitions.

Major Event Organizations:

This term refers to the continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other international event.

Marker:

A compound, group of compounds or biological parameters that indicates the *Use of a Prohibited Substance or Prohibited Method*.

Medical Inspector:

Doping Control officer responsible for the Sample taking as described in these Anti-Doping Rules and in the *Procedural Guidelines*.

Metabolite:

Any substance produced by a biotransformation process.

Minor:

A natural *Person* who has not reached the age of majority as established by the applicable laws of his country of residence.

National Anti-Doping Organization:

The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event / Competition / Race:

An *Event, Competition, Race* of the national calendar of each of the member federations of the UCI.

National Olympic Committee:

The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Advance Notice:

A *Doping Control* which takes place with no advance warning to the *Rider* and where the *Rider* is continuously chaperoned from the moment of notification through *Sample* provision.

No Fault or Negligence:

The *Rider's* establishing that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had *Used* or been administered the *Prohibited Substance* or *Prohibited Method*.

No Significant Fault or Negligence:

The *Rider's* establishing that his fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping rule violation.

Out-of-Competition:

Any *Doping Control* or fact which is not *In-Competition*.

Person:

A natural *Person* or an organization or other entity.

Possession:

The actual, physical possession, or the constructive possession (which shall be found only if the *Person* has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the *Person* knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* no longer intends to have *Possession* and has renounced the *Person's* previous *Possession*.

Post-Competition Testing:

In-Competition Testing session that is organized following a *Race* or *Competition* for the purpose of testing *Riders* that participated in the *Race* or *Competition*.

Procedural Guidelines:

Documents established by the Anti-Doping Commission and regulating technical and operational parts of *Testing* pursuant to article 96; reference to these Anti-Doping Rules shall include reference to the *Procedural Guidelines* where applicable.

Prohibited List:

The List published by WADA and identifying the *Prohibited Substances* or *Prohibited Methods*.

Prohibited Method:

Any method so described on the *Prohibited List*.

Prohibited Substance:

Any substance so described on the *Prohibited List*.

Publicly Disclose or Publicly Report:

To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with these Anti-Doping Rules.

Race:

A cycling contest that produces a winner or a ranking according to the rules (for example: a one day road race, a stage or a half stage in a stage race, the 16th final of a track sprint race tournament, a cyclo-ball game).

Registered Testing Pool:

The pool of top level *Riders* established separately by the UCI and each National Anti-Doping Organization who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of the UCI's or Organization's test distribution plan.

Rider:

A *Person* who participates as a cyclist in an *Event*, whether he is authorized to or not.

Rider's Support Personnel:

A *License-Holder* who is not a *Rider*.

Sample/Specimen:

Any biological material collected for the purposes of *Doping Control*.

Signatories:

Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, the UCI, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and *WADA*.

Specified Substance:

Prohibited Substance so identified on the *Prohibited List* pursuant to article 10.3 of the *Code*: "The *Prohibited List* may identify specified substances which are particularly susceptible to unintentional anti-doping rule violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents".

Tampering:

Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

Target Testing:

Selection of *Riders* for *Testing* where specific *Riders* or groups of *Riders* are selected on a non-random basis for *Testing* at a specified time.

Testing:

The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Trafficking:

To sell, give, administer, transport, send, deliver or distribute a *Prohibited Substance* or *Prohibited Method* to any *Person* either directly or through one or more third parties, but excluding the sale or distribution (by medical personnel or by *Persons* other than a *Rider's Support Personnel*) of a *Prohibited Substance* for genuine and legal therapeutic purposes.

Use:

The application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

WADA:

The World Anti-Doping Agency.

(Appendix 2)

SELECTION OF RIDERS TO BE TESTED

(Article 121 of the Anti-Doping Rules)

(In the absence of specific instructions from the antidoping commission)

A. World Championships, Continental Championships, regional games
See appendix 3

B. Other events

I. ProTour (one day events)**• General rule**

1. ProTour leader if he is present
2. The winner
3. Two riders selected at random by the inspector.

II. ProTour (stage races)**• General rule**

1. ProTour leader after the first stage if he is present
2. ProTour leader after the last stage if he is present
3. The winner of the stage
4. The leader of the general classification after the stage
3. Two riders selected at random by the Inspector.

III. One day events (all disciplines)**• General rule**

1. The winner
2. Two riders selected at random by the inspector.

• World cup

1. The winner of the race
2. The leader on the general classification of the world cup after the race
3. Two riders selected at random by the Inspector.

• Half-stages

1. The winner of the first half-stage
2. The winner of the second half-stage
3. One rider selected at random by the inspector for each half-stage.

• Team events

1. One rider selected at random by the inspector from the winning team
2. Two riders selected at random by the inspector from all other teams.

IV. Stage races (all disciplines, including prologues)

- **General rule**
 1. The stage winner
 2. The leader on general classification after the stage
 3. Two riders selected at random by the inspector.

- **Team time trial stage**
 1. One rider selected at random by the inspector from the winning team
 2. The leader on general classification after the stage
 3. Two riders selected at random by the inspector from all other teams.

- **Half-stages**
 1. The winner of the first half-stage
 2. The winner of the second half-stage
 3. The leader on general classification after the second half-stage.

V. Specific time trial events

- **Individual**
 1. The first three placed riders
 2. Two riders selected at random by the inspector.

- **For teams**
 1. One rider selected at random by the inspector from the winning team
 2. One rider selected at random by the inspector from the second-placed team
 3. One rider selected at random by the Inspector from each of four different randomly selected teams.

VI. Track events (all disciplines)

- **Individual**
 1. The winner
 2. One rider selected at random by the Inspector.

- **For teams**
 1. One rider selected at random by the Inspector from the winning team
 2. One rider selected at random by the Inspector from all other teams.

VII. Six-day races

1. One rider selected at random by the inspector from the winning team
2. Three riders selected at random by the inspector from three other different teams.

(text modified on 1.01.06).

(Appendix 3)

SELECTION OF RIDERS TO BE TESTED

(Article 121 of the Anti-Doping Rules)

(In the absence of specific instructions from the Anti-Doping Commission)

A. WORLD CHAMPIONSHIPS, CONTINENTAL CHAMPIONSHIPS, REGIONAL GAMES

1. World juniors track championships

Men

• Kilometre time trial: first + 1 selected at random	2
• Keirin: first + 1 selected at random	2
• Sprint:	
- qualification: best time + 1 selected at random	
- final: first + 1 selected at random	4
• Team Sprint:	
- qualification: best time + 1 selected at random among the riders of the other teams	
- final: 1 rider from the first team + 1 rider selected at random among the riders of the other teams	4
• Individual pursuit:	
- qualification: best time + 1 selected at random	
- final: first + 1 selected at random	4
• Team pursuit:	
- qualification: 1 rider from the team with the best time + 1 rider selected at random among the riders of the other teams	
- final: 1 rider from the first team + 1 selected at random among the riders of the other teams	4
• Scratch: first + 1 selected at random	2
• Points race: first + 1 selected at random	2
• Madison: 1 rider from the first team + 1 rider selected at random among the riders of the other teams	2
• Omnium: first + 1 selected at random	2
Total men	28

Women

• Sprint:	
- qualification: best time + 1 selected at random	
- final: first + 1 selected at random	4
• Team Sprint:	
- qualification: best time + 1 selected at random among the riders of the other teams	
- final: 1 rider from the first team + 1 rider selected at random among the riders of the other teams	4
• Keirin: first + 1 selected at random	2
• Individual pursuit:	
- qualification: best time + 1 selected at random	
- final: first + 1 selected at random	4
• Points race: first + 1 selected at random	2
• Scratch: first + 1 selected at random	2
• 500 m standing start time trial: first + 1 selected at random	<u>2</u>
Total women	20
Total: 48 tests	

2. World cyclo-cross championships

Juniors

- first 4 + 2 selected at random	6
Under 23	
- first 4 + 2 selected at random	6
Elite	
- first 4 + 2 selected at random	6
Women	
- first 4 + 2 selected at random	<u>6</u>
Total	24

3. World road championships

Juniors Women

• Individual - first 4 + 2 selected at random	6
• Individual time trial - first 4 + 2 selected at random	<u>6</u>
Total	12

Juniors Men

- Individual - 4 first + 2 selected at random 6
- Individual time trial - 4 first + 2 selected at random 6

Total 12

Under 23

- Individual - 4 first + 2 selected at random 6
- Individual time trial - 4 first + 2 selected at random 6

Total 12

Elite Women

- Individual - first 4 + 2 selected at random 6
- Individual time trial - first 4 + 2 selected at random 6

Total 12

Elite Men

- Individual - 4 first + 2 selected at random 6
- Individual time trial - 4 first + 2 selected at random 6

Total 12

Total: 60 tests

4. World track championships

Men

- Kilometre time trial: first + 1 selected at random 2
- Keirin: first + 1 selected at random 2
- Sprint:
 - qualification: best time + 1 selected at random
 - final: first + 1 selected at random 4
- Team Sprint:
 - qualification: best time + 1 selected at random among the riders of the other teams
 - final: 1 rider from the first team + 1 rider selected at random among the riders of the other teams 4
- Individual pursuit:
 - qualification: best time + 1 selected at random
 - final: first + 1 selected at random 4

• Team pursuit:	
- qualification: 1 rider from the team with the best time + 1 rider selected at random among the riders of the other teams	4
- final: 1 rider from the first team + 1 selected at random among the riders of the other teams	2
• Scratch: first + 1 selected at random	2
• Points race: first + 1 selected at random	2
• Madison: 1 rider from the first team + 1 rider selected at random among the riders of the other teams	2
• Omnium : first + 1 selected at random	2
	<hr/>
Total men	28

Women

• Sprint:	
- qualification: best time + 1 selected at random	
- final: first + 1 selected at random	4
• Team Sprint:	
- qualification: best time + 1 selected at random among the riders of the other teams	
- final: 1 rider from the first team + 1 rider selected at random among the riders of the other teams	4
• Keirin: first + 1 selected at random	2
• Individual pursuit:	
- qualification: best time + 1 selected at random	
- final: first + 1 selected at random	4
• Points race: first + 1 selected at random	2
• Scratch: first + 1 selected at random	2
• 500 m standing start time trial: first + 1 selected at random	<u>2</u>
	<hr/>
Total women	20

Total: **48** tests

5. World mountain bike championships

- first 2 riders in the general classification for each category
- 1 selected at random from each category

6. World indoor cycling championships

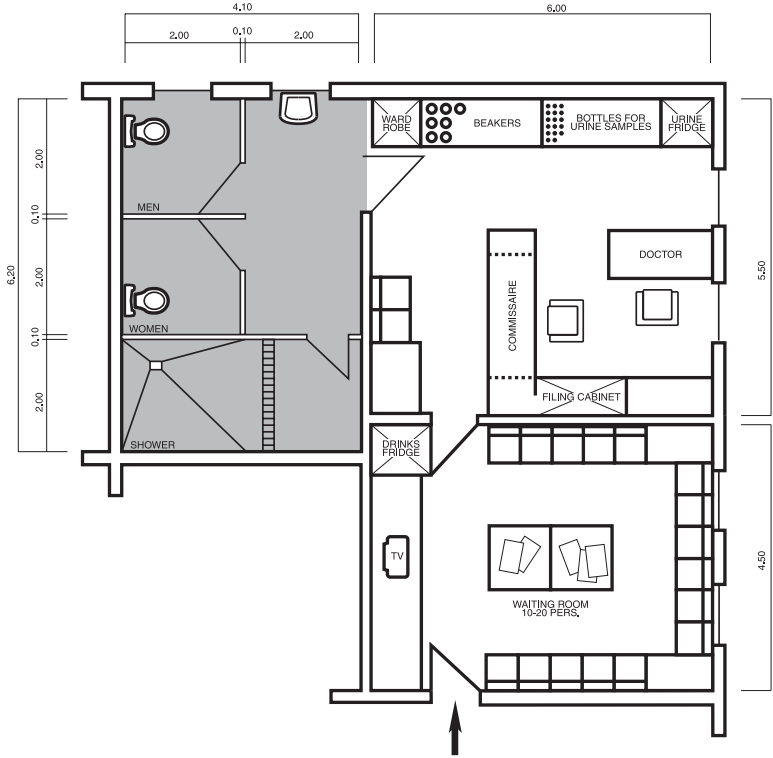
- Artistic cycling: the champions in each discipline
- Cycle-ball: in each group A/B/C – 1 player selected at random from the 2 teams contesting the final.

7. World BMX championships
for each category
- winner
 - 2 selected at random

(text modified 1.01.06; 1.02.07).

(Appendix 4)

PLAN OF STANDARD TESTING STATION FOR ANTIDOPING TESTS



(Appendix 5)

EQUIPMENT OF THE DOPING CONTROL STATION

The doping control station must be equipped in such a way to facilitate the running of the tests. A suggested list non exhaustive of equipment is included in mentioned hereafter:

Equipment to be made available:

- Anti-doping kits*
- containers for the taking
- gloves
- provisional seal kits
- plastic bags in reserve
- packaging to send the kits
- adhesive tape
- envelopes
- string
- scissors
- drinks in large quantities (such as lemonade, mineral water, etc.)

* in sufficient number to allow the choice between two kits at least.

Furnishings

- First room
(20-25 m²)
- 2 tables
 - 8 chairs
 - 1 refrigerator
 - 1 waste bin
 - 1 telephone connection (phone and fax).

- Second room
- 2 tables
 - 3 chairs
 - toilet (WC)
 - sink, shower
 - 1 waste bin
 - towels and soap
 - ventilation or opening window.

(text modified on 1.01.06).

(Appendix 6)

On chemical self-copying paper in triplicate (1 original and 2 copies).
 Original to UCI - Copy 1 (white) to the rider - Copy 2 (green) to the laboratory.
(articles 163 to 165 of the Anti-Doping Rules)

Union Cycliste Internationale
 ANTIDOPING CONTROL

Test certificate

- | | | | |
|------------|--------------------------|------------|--------------------------|
| Urine test | <input type="checkbox"/> | Blood test | <input type="checkbox"/> |
|------------|--------------------------|------------|--------------------------|
1. In competition 2. Sex: Male
 - Hors-compétition Female
 3. Date: _____ 4. Place _____
 5. Race (name, stage): _____ 6. Discipline: _____
 7. Surname of the rider: First name:
 - Address of the rider:
 8. UCI Code:
 9. National federation which delivered the license
 10. License number:
 11. Random Yes No
 12. Presentation time:
 13. Time of sampling:
 - Volume pH* _____ Specific gravity _____
 - * Optional
 14. Bottle codes:
 15. Time of rider's refusal:
 16. Pharmaceutical drugs taken by the rider:
 -
 - Contents of the health booklet:
 -
 17. Therapeutic use exemption (TUE) Yes No
 18. Subject to the comments below, I confirm that the sample was taken in accordance with the regulations.
 Rider's signature who also acknowledges receipt of his copy:
 19. Assistant:
 - name.....signature
 20. Examining doctor:
 - name.....signature
 - Blood collection officer:
 - name.....signature
 21. Antidoping inspector:
 - name.....signature

(Appendix 7)

NOTIFICATION TO THE RIDER
(articles 138 to 144 of the Anti-Doping Rules)

Where applicable,

Name of the race

The rider

Name of the rider

Phone

UCI Code

National licence number

National federation which delivered the licence

is required to attend an anti-doping test (urine blood) at.....(time)
precisely at the following location:

If the rider does not attend the test, a violation of the UCI Anti-Doping Rules will be noticed and the rider could be sanctioned in accordance with Chapter X of these Rules.

Refusal (reasons)

This notification was issued

Place

Date

Time

Signature for receipt

The rider

and/or

The team leader/team manager

Name

Signature:

Anti-doping Inspector

Name

Signature

(text modified on 1.01.06).

(Appendix 8)

NO-SHOW REPORT
(articles 15.3 and 257 of the Anti-Doping Rules)

To be sent to the UCI

I the undersigned
 appointed to officiate as Anti-Doping Inspector for the event
 on at

do hereby certify that:

Rider No., who was properly designated to undergo the anti-doping tests and notified by all the means made available to me by the organiser, did not attend at the designated testing station within the deadline that conforms to the regulations.

- Time of arrival at the finish line
- End of the official ceremony.....
- Time when the rider's deadline was observed to have expired.....

In consequence, the present no-show report has been issued in his/her regard.

Done in, at

Signature of the Anti-Doping Inspector

for nomination¹⁾

- Placingat the finish
- Drawn by lot.....
- Reserve.....
- Instructions of the Anti-Doping Commission.....

Means used to notify the rider¹⁾

- Posted at the finish line.....
- Radio announcement to.....
- Posted on the door of the testing station.....
- Written summons issued
- Others

Distance from finish line to the testing station

Further information on the rider

Name.....

First name.....

Nationality

National licence number

UCI Code

¹⁾ Check as appropriate

(text modified on 1.01.06).

(Appendix 9)

NOTIFICATION TO THE RIDER OF A POSITIVE RESULT
(article 212 of the Anti-Doping Rules)

Name of the race

The rider

- name
- UCI Code
- national licence number
- national federation which delivered the license

is hereby informed that he/she was found to have tested positive after the following

Name of the stage

Date of the stage

or name of the six-day event

Date of testing

The analysis carried out at the following laboratory

Name of laboratory

Full address

has shown the presence of

Name of the substances or methods

The rider has been questioned. He/she has received the form to request for a counter-analysis.

Please note:

- 1) The rider has the right to request counter-analysis;
- 2) Such a request must be submitted to the inspector within 3 hours of receiving the present notification specified in article 212;
- 3) If not, the rider shall automatically be disqualified.

Done on:

Date Place Time

By:

Name of the president of the commissaires panel

Signature

Rider's comments

Rider's signature

Name and signature of the rider's assistant

(text modified on 1.01.06).

(Appendix 10)

**REQUEST FOR COUNTER-ANALYSIS
(articles 212 to 216 of the Anti-Doping Rules)**

(to be submitted to the Inspector within 3 hours of notification of the positive result).

Name of the race
 The undersigned
 Name and surname of the rider
 UCI Code
 National licence number
 National federation which delivered the license

requests a counter-analysis in connection with the positive result of the anti-doping tests

Name and date of the stage for which the result was positive
 Date of anti-doping test (six-day events)

Done on:

Place
 Date
 Time
 Signature of rider

Request received at

Place
 Date
 Time

by:

Name of the Anti-Doping Inspector
 Signature

Copy of the request received by

Name
 Signature

(text modified on 1.01.06).

(Appendix 11)

**LIST OF MEDICINES TAKEN
(article 299 of the Anti-Doping Rules)**

Name of the race..... Country.....
 Date of the race.....
 Team/Club.....
 The undersigned team/club doctor.....
 Name and address.....

declare that in the 72 hours prior to the start of the event the following riders* have taken medicines or undergone treatment as follows:

Rider	Medicine or treatment (indicate dose and manufacturer)
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

Date.....
 Signature.....

* N.B.- All the riders of the team/club taking part in the event must be listed; where applicable indicate «none».

(Appendix 12)

CODE OF SPORTS-RELATED ARBITRATION (CAS)
(available on request)